

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, March 7, 2007 at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members Robert Brooks, Theo van de Venne, Dennis Pavlik, Nancy Kacin, Jeffrey Franke, and Larry Nicolette. Also present were Mayor Joyce K. Somers, Chief Administrator John M. Barrett and Solicitor George A. Kotjarapoglus. Mr. Bankoske was absent.

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

DETERMINATION OF VOTING ORDER – ROLL CALL: Kim Blauvelt determined the voting order and called the roll: Theo van de Venne, Bob Brooks, Nancy Kacin, Dennis Pavlik, Jeffrey Franke, and Larry Nicolette. Mr. Bankoske was absent.

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

ANNOUNCEMENT OF UNLISTED AMENDMENTS:

Under Administration –Switch order of Agenda Items 11C, CONSIDER ANALYSIS FROM THE LAW FIRM OF RHOADES & WODARCYZK OUTLINING THE POLICE PENSION PLAN MEETS REQUIREMENTS FOR PARTICIPATION IN THE NEW TOWER TRUST COMPANY MULTI-EMPLOYMENT and 11D, CONSIDER APPROVAL OF ORDINANCE NO. 732-07 – DROP PLAN.

Under Old Business – Add discussion with Solicitor regarding televising Council workshop meetings on Channel 19.

Mr. Nicolette moved to approve the Amended Agenda. Mr. Franke seconded. All present voted aye. Motion approved.

CONSENT CALENDAR ITEMS:

4A. ACCOUNTS PAYABLE

4B. FEBRUARY 7, 2007 MEETING MINUTES TO BE APPROVED.

4C. FEBRUARY 21, 2007 MEETING MINUTES TO BE APPROVED.

Mr. Pavlik moved to approve the Consent Calendar Items with the amendment to remove 4C, FEBRUARY 21, 2007 MEETING MINUTES TO BE APPROVED. The request was made to staff to amend these minutes to include discussion regarding televising workshop meetings on Channel 19. Mr. van de Venne seconded. All present voted aye. Motion approved.

COMMUNITY INPUT:

Dennis Skeers – 3965 Murry Highland Circle – Spoke in favor of Congressman Altmire having an auxiliary office in Murrysville. Mayor Somers clarified the misunderstanding that although Congressman Altmire is interested in the matters of the Municipality of Murrysville, he is not

planning on an office in Murrysville, but rather possibly sending staff to the community on an “as needed” basis.

Larry Keller – 3907 Bridgewood Circle –Mr. Keller states that the community has a need and a right to become informed of the functions of Murrysville’s government and direct observation via Channel 19 affords residents that opportunity. Mr. Keller stated that he had been informed that the Mayor has been engaged in political speech to the staff and members of the community during a recent meeting in the Municipal Building. The Mayor stated that she would like to meet with Mr. Keller after the Council Meeting to discuss his concerns. Further, the Mayor stated that she requested that a petition not be circulated in the Municipal Building. The Municipal Solicitor confirmed that this nature of activity should not occur in the Municipal Building.

COMMENTS BY MAYOR SOMERS:

Mayor Somers reported that the Municipality of Murrysville’s newest policeman, Chris Smith, was sworn in on March 2, 2007.

Mayor Somers also spoke very highly of the Citizens’ Police Academy. The classes continue to be extremely informative and will run for another three weeks.

COMMENTS BY THE CHIEF ADMINISTRATOR:

Mr. Barrett reported that a storm sewer pipe on Mamont Road has collapsed and created a sizable hole on the side of the road. The Public Works department is working to repair this problem.

Mr. Barrett also reported that bids for the slide on Old William Penn Highway were opened on March 5, 2007. Staff is still tabulating the results.

Mr. Barrett announced that the next director who will present an overview of their department at the March 21, 2007 Council Meeting, will be the Director of Engineering, Public Works, and Parks.

LIAISON AND COMMITTEE REPORTS:

Mr. van de Venne attended the Personnel Board meeting and reported that they are reviewing human resources policies.

Mr. Pavlik reported that the School Board met in conjunction with Council last week, and the Library Board was pleased to announce festivities celebrating their 85th “birthday” on March 11, 2007.

Mrs. Kacin reported that the Planning Commission had several advisory applicants which will be coming before Council in the near future. The group further discussed the overlay district on Route 22 and Old William Penn Highway.

COMMUNITY DEVELOPMENT:

9A. CONSIDER SP-3-07, SNOZNIK OFFICE PLAN, 4455 OLD WILLIAM PENN HWY., 1542 SQ.FT. MU ZONING DISTRICT, TAX MAP 49-14-03-0-131. Mr. van de Venne moved to approve with the conditions and restrictions listed in the Agenda Briefing. Mr. Brooks seconded. All present voted aye. Motion approved.

9B. CONSIDER AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO BE HELD ON MARCH 21, 2007, ON ORDINANCE NO. 738-07, A REQUEST BY THE PROPERTY OWNER TO REZONE A PORTION OF THE FORMER BUNCHER PROPERTY AT BERLIN FARM ROAD AND ROUTE 22 FROM R-2 RESIDENTIAL TO B, BUSINESS. Mr. Nicolette moved to amend the motion by moving the Public Hearing to the April 4, 2007 Council meeting in order to give the public more information on this zoning change. Mr. Pavlik seconded. All present voted aye. Motion approved.

ENGINEERING:

10A. CONSIDER AUTHORIZATION TO ADVERTISE DPW-3-07, 2007 CRACK SEALING PROJECT BID SPECIFICATIONS. Mr. Brooks moved to approve. Mr. Franke seconded. All present voted aye. Motion approved.

ADMINISTRATION:

11A. CONSIDER APPROVAL OF CONTRACT FOR TRASH AND RECYCLING SERVICES. Mr. Nicolette moved to approve said contract with Allied Waste for the period of March 17, 2007, through March 17, 2010, with an option to extend contract for one year. Council also requested that staff contact the trash hauling companies who were sent bid packets but did not bid on the work and inquire as to why they chose not to bid. Mr. Pavlik seconded. All present voted aye. Motion approved.

11B. CONSIDER APPROVAL OF ORDINANCE NO. 731-07, AN ORDINANCE AUTHORIZING THE GRANT OF AN EXCLUSIVE FRANCHISE TO THE LOWEST RESPONSIBLE BIDDER FOR THE COLLECTION OF RESIDENTIAL SOLID WASTE, RECYCLING COLLECTION, AND DISPOSAL SERVICES, AND AWARD OF CONTRACT TO IT FOR SUCH PURPOSE. Mr. Nicolette moved to approve. Mr. Franke seconded. All present voted aye. Motion approved.

11C. CONSIDER APPROVAL OF ORDINANCE NO. 732-07 – DROP PLAN. Mr. Franke moved to table this item until staff arranges a meeting with the representatives of Mockenhaupt Benefits Group and Mr. Nicolette to evaluate the claim that the DROP plan is cost neutral to the Municipality of Murrysville. Mr. van de Venne seconded. All present voted aye. Motion approved.

11D. CONSIDER ANALYSIS FROM THE LAW FIRM OF RHOADES & WODARCYZK OUTLINING THE POLICE PENSION PLAN MEETS REQUIREMENTS FOR PARTICIPATION IN THE NEW TOWER TRUST COMPANY MULTI-EMPLOYER PROPERTY TRUST. Mr. Nicolette moved to approve. Mr. Franke seconded. All present voted aye. Motion approved.

11E. CONSIDER APPOINTMENT OF CANDIDATES TO THE PERSONNEL BOARD, FRANKLIN TOWNSHIP MUNICIPAL SANITARY AUTHORITY, AND GIFTING COMMITTEE. Mr. Nicolette nominated Donna Perone to the Personnel Board. All present voted aye. Ms. Perone was appointed. Mr. van de Venne nominated Barbara Stander to the Gifting Committee. All present voted aye. Ms. Stander was appointed. Mr. Nicolette nominated Mr. Komandt for FTMSA Board. Mr. Pavlik nominated Mr. Perry for the FTMSA Board. Upon a roll call vote: Mr. van de Venne – Mr. Perry, Mr. Brooks – Mr. Perry, Mrs. Kacin – Mr. Perry, Mr. Pavlik – Mr. Perry, Mr. Franke – Mr. Perry, Mr. Nicolette – Mr. Komandt. Mr. Perry was appointed to the FTMSA Board.

11F. CONSIDER AUTHORIZATION TO ADVERTISE ORDINANCE NO. 737-07, AN ORDINANCE AMENDING THE 2007 SALARY ORDINANCE TO BECOME EFFECTIVE ON JUNE 1, 2007. Mr. Brooks moved to approve. Mr. Nicolette seconded. All present voted aye. Motion approved.

11G. CONSIDER PURCHASE OF FIREWORKS ON BEHALF OF ANNUAL FIREMAN'S CARNIVAL. Mr. Nicolette moved to approve, noting that all costs associated with this purchase will be provided by the fireman's carnival organizers. Mr. Brooks seconded. All present voted aye. Motion approved.

11H. CONSIDER AWARD OF CONTRACT FOR LANDSCAPE MAINTENANCE OF ADMINISTRATION BUILDING. Mr. Nicolette moved to approve said contract in an amount not to exceed \$5,910.00. Mr. van de Venne seconded. All present voted aye. Motion approved.

11I. CONSIDER ACCEPTANCE OF COUNCIL MEMBER JACK BANKOSKE'S RESIGNATION AND SEND LETTER OF THANKS FOR HIS SERVICE. Mr. Pavlik moved to approve, send letter of thanks, and to advertise this vacancy. Mr. van de Venne seconded. All present voted aye. Motion approved.

NEW BUSINESS:

Council requested that staff add to the March 21, 2007 Council Meeting Agenda the extension of the residency requirement for the Chief Administrator. Council requested the requirement be extended by six months to October 3, 2007.

OLD BUSINESS:

In response to an Action Item from the February 21, 2007 Council meeting, the solicitor for the Municipality of Murrysville responded to the question "Is Council obligated to televise all workshop meetings?" He reported that since there has been no formal policy ever adopted, the only way that Council is bound to do this is if they have established a policy by "tacit" approval,

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or by repeatedly televising all workshops in the past. Then, Council would have to proactively vote NOT to televise if they so desired. Since there is no established practice for this year or for the prior year, Council is not obligated to vote NOT to televise workshop meetings.

Mr. Pavlik encouraged Council to draft a policy regarding this matter so that it would be on the books, and then could be acted on. He reiterated that in the past there have been meetings other than regular Council Meetings that were televised.

OTHER BUSINESS:

None

EXECUTIVE SESSION:

Council convened to an Executive Session (Real Estate Issue) at 9:22 p.m. and returned at 9:44 p.m. No voting resulted from the Executive Session.

ACTION ITEMS:

- ✓ Council directed staff to contact the trash hauling companies who were sent bid packets but did not bid on the work and inquire as to why they chose not to bid.
- ✓ Council requested that staff arrange a meeting with Mockenhaupt Benefits Group and Mr. Nicolette to verify the claim of ‘cost neutral’ in regards to the DROP Plan.

ADJOURNMENT:

Mr. Pavlik moved to adjourn. Mr. van de Venne seconded. All present voted aye. Motion approved.

Time: 9:47 p.m.

JOHN M. BARRETT
CHIEF ADMINISTRATOR

Kjb 03/16/07
Revised 3/19/07

cc: Mayor
Council
Community Development
Finance

Police
Public Works
Solicitor
Front Office/Library