

COUNCIL OF THE MUNICIPALITY OF MURRYSVILLE
REGULAR VOTING MEETING
July 11, 2007

Public Hearing on CU-4-07/TPRD-1-07, Shag Bark Grove, south side of Mamont Road approximately ¼ mile west of Hills Church Road, R-R Zoning District. The Public Hearing began at 7:02 pm. Present for the Public Hearing were Council members Theo van de Venne, Robert Brooks, Jeffrey Franke, Joan Kearns, Nancy Kacin and Dennis Pavlik. Also present were Acting Chief Administrator Diane Heming, Solicitor George A. Kotjarapoglus and Mayor Joyce Somers. Lawrence Nicolette was absent.

Chris Rearick, Director of Community Development began by briefly explaining the Shag Bark Grove PRD proposal.

Chuck Hergenroeder – Shag Bark Grove is a single-family home development and the PRD plan of lots is permissible under the statute. The Developer is willing to keep Mamont Road the same as what it looks like. The Developer has chosen to install the expensive sewer on Mamont Road down to Ashbaugh Road with the right-of-way through the plan and beyond to service other properties. The overall good of the community is best served by the sewer line.

Jim Killion – Developer – There are problems with the property: steep slopes, wetlands, a stream and no utilities. The 4,400 feet of sewer lines will be a significant amount of money. Mr. Pavlik asked for an exact cost of the sewer line and was given an estimated amount of \$250,000-\$300,000. Mr. Pavlik's estimate of the sewer extension would be about \$130,000 as compared to the cost of \$20,000 to \$25,000 per special septic system for a total of \$250,000. The sewer line is a cost savings, rather than an extra expense when the alternatives were compared. The sewage line is an enhancement to the property along with the quality of homes. If there is no sewage there would only be two lots. Mrs. Kearns requested to see an alternative plan. Something with fewer than 10 lots and overall harmony with the rest of Mamont Road. She stated that the driveways are not compatible with the rest of the area and should be more creative and imaginative.

Rich Territ – Engineer – The drawing presented depicted the entire corridor on Mamont Road, taking it through the hollow and past the existing gas company. There are access connections in the sewer lines to service the high side of Mamont Road. Mr. Brooks questioned going through other properties to connect the sewer line, but the Developer has acquired the easements from the property owners.

Doug Speerstra – He is with Dominion Transmission and welcoming new neighbors. He stated that the facility is a safe operation. From time to time there is noise involved with running the facility and tests of blowing gases into the atmosphere. Dominion is required to notify 911 and neighbors when this does occur.

Don Harrison – 3809 Edinburg Drive – Suggested that the Municipality secure a shorter public right-of-way as an alternative route for the municipal trail between Murrysville Community Park and King Nature Reserve.

Robert Carlson – 5175 Mamont Road – In favor of the development because of the sewer line.

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Michele Clarke – 5180 Mamont Road – Has serious concerns pertaining to the plan in regards to three issues that may affect Murrysville: the effect on the rural character of Mamont Road, the intended purpose of a PRD over an R-R plan and setting future precedence.

Mr. Van Schnek - 5139 Mamont Road – He is in full support of this development and so is the vast majority of the people who live on Mamont Road. In general, the building of these quality homes will add value to Mamont Road.

Ed Kenawell – 5195 Mamont Road – With this development, the character changes on Mamont Road. He has moved to a rural area and he hopes it will stay a rural area.

Rose Barbuto – 5129 Mamont Road – In support of this development for all the reasons mentioned previously.

Jay Hoffman – 3440 School Road – Stated he is in support of the development on Mamont Road. The officials have done a good job.

Mark Fisher – 5205 Mamont Road – Approving this type of PRD would ruin the rural character of the area.

Patience Fisher – 5205 Mamont Road – Questions the feasibility of the 10 lots, encouraging that the EAC looks into this further. Has concerns that this is not a correct PRD.

Lois Abels – 5185 Mamont Road - In favor of this development because of the sewer line.

The decision made by Council was to keep the Public Hearing open until the next Council Meeting on August 1, 2007. The hearing ended at 8:05 pm.

Public Hearing on CU-5-07, request by Linn Operating for a gas well located at 4568 Ashbaugh Road, R-R Zoning District. Public Hearing began at 8:06pm. Present for the Public Hearing were Council members Theo van de Venne, Robert Brooks, Jeffrey Franke, Joan Kearns, Nancy Kacin and Dennis Pavlik. Also present were Acting Chief Administrator Diane Heming, Solicitor George A. Kotjarapoglus and Mayor Somers. Lawrence Nicolette was absent.

Mr. Rearick summarized the drilling of a new gas well located near the intersection of Ashbaugh and Mamont Road. Linn Operating wants to drill an additional gas well off of Ashbaugh Road about 1,000 feet from the existing gas well. There are concerns with residents about the hours of operation.

Tom Dixon – Linn Operating, will be using the existing well to access the new well. There were mailings sent out to surrounding property owners to solicit their input. There were only two concerns: the construction on the property and water testing.

Lou Intrieri – 4558 Ashbaugh Road – Has concerns about the noise at all hours. He did appreciate the fact that they were notified that there would be drilling going on. Also, as a

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property owner there are questions of liability insurance and water contamination tests that need to be done and that residents need to be informed of those results.

Gene Dandrea – 5008 Mamont Road – His concerns are not about the water testing, but about the water quantity. Since 1999, two wells have gone in and the water table has gone down and his home has frequently run out of water.

The Public Hearing ended at 8:29 pm.

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, July 11, 2007 at 8:31 p.m. in the Municipal Building. Present at the meeting were Council members Jeffrey Franke, Nancy Kacin, Dennis Pavlik, Joan Kearns, Robert Brooks and Theo van de Venne. Also present were Mayor Joyce K. Somers, Acting Chief Administrator Diane Heming, and Solicitor George A. Kotjarapoglus. Lawrence Nicolette was absent.

CALL TO ORDER: Mrs. Kacin called to order the Regular Voting Meeting of Wednesday July 11, 2007.

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

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

ANNOUNCEMENT OF UNLISTED AMENDMENTS:

- ✓ Add – Under Consent Calendar Items – Check #307.
- ✓ Add – Under Engineering – Item 10B – Consider Edgebrook Plan bond reduction request per Engineer’s recommendation.
- ✓ Remove – Under Administration – Item 11A – Consider Ordinance No. 742-07, an Ordinance requiring key boxes on commercial or multi-residential structures. Staff requests tabling this item until the August 1, 2007, Council Meeting in order to obtain further clarification on language.

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

CONSENT CALENDAR ITEMS:

4A. ACCOUNTS PAYABLE.

4B. JUNE 6, 2007, MEETING MINUTES TO BE APPROVED.

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

COMMUNITY INPUT:

Mr. Art McElhinney, 4040 Saltsburg Road, had some issues with the ordinance requiring key boxes on commercial or multi-residential structures. He stated that there are security, privacy, and liability issues with the key boxes.

Mr. Mike Dailey, 4877 Sardis Road, also opposes the key boxes for the same reasons as Mr. McElhinney. Mr. Dailey contends that it violates the 4th amendment. He suggested to Council that when they call for a Public Hearing, invite indented groups to balance these discussions.

Mr. Frank Larimer, 4025 Saltsburg Road, also opposes the key boxes because of the easy access someone may have to his apartment building.

COMMENTS BY MAYOR SOMERS:

The Park Chat Walk is July 18, 2007 at the McGinnis Nature Reserve. If you are interested, call the Recreation Department for reservations.

The Crowfoot Sportsmen Club Youth Fest will be on Saturday, July 21, 2007. This is a great opportunity for adults and children ages 11-18 to shoot firearms, learn bow and arrow and a variety of outdoor sports. This is a free event, but you are required to register.

The Playground Program ended June 27, 2007. The Recreation Department is offering 3 Sports Camps for children ages 3-14 at Bear Hollow Park, where they will experience a wide range of sports from all over the world.

In the November, 2007 issue of the National Geographic, Murrysville's Hunting in the Park Program will be featured.

Mayor Somers and Nancy Kacin attended the PLCM meeting in Scranton, PA on June 20 – June 22, 2007, where the main speaker was Fire Chief Richard Picciotto who was in the North Tower on 9/11. He has written a book called "Last Man Down".

On July 31, 2007, Detective John Verner, after 25 years of service, will retire from the Police Force. In his last 5 years, he has served as the first appointed Detective. The Municipality wishes him well in his retirement.

COMMENTS BY ACTING CHIEF ADMINISTRATOR:

None

LIAISON AND COMMITTEE REPORTS:

Mr. Franke attended the Parks meeting on July 10, 2007. There were two sub-divisions reviewed: the Shag Bark Grove Plan and the Mahoy Plan of Lots. Also, SLAM, has now received their 501C3 status for their charitable contributions, a long time coming.

Mrs. Kearns attended the EAC meeting at the end of June. There was an advisory of a proposed PRD on Cline Hollow Road with many questions. Wal-Greens comments were addressed and Shag Bark Grove still has a lot of questions.

Mr. van de Venne attended the Medic One Board meeting. It was an abbreviated meeting because of low attendance, but it was noted that both expenses and revenues were up.

Mrs. Kacin attended a Gifting Committee meeting, Monday, July 9, 2007. There was little content and they have decided to meet only three to four times a year or when necessary. Also, the Planning Commission met to review the final questions on the business overlay. This should come to a vote at next week's Planning Commission meeting.

ENGINEERING:

10A. CONSIDER AUTHORIZATION TO ADVERTISE DPW-41-07, MCP WETLAND PAVILION CONSTRUCTION PROJECT. Mrs. Kearns moved to approve. Mr. Franke seconded. All present voted aye. Motion approved.

10B. CONSIDER EDGEBROOK PLAN BOND REDUCTION REQUEST PER ENGINEER'S RECOMMENDATION. Mr. Brooks moved to approve. Mr. van de Venne seconded. All present voted aye. Motion approved.

ADMINISTRATION:

11A. CONSIDER ADOPTION OF COMMUNITY USE OF MUNICIPALITY OF MURRYSVILLE PUBLIC FIELDS/PARK RECREATION FACILITIES (EXCLUDING PAVILIONS) POLICY. Mr. van de Venne moved to approve. Mrs. Kearns seconded. All present voted aye. Motion approved.

11B. CONSIDER APPROVAL OF ORDINANCE NO. 743-07, AN ORDINANCE AMENDING NOS. 738-07, 737-07, and 728-06, AMENDED 2007 SALARY ORDINANCE. Mrs. Kearns moved to approve. Mr. Franke seconded. Upon a roll call vote: Mr. van de Venne – yes, Mr. Brooks – yes, Mr. Franke – yes, Mrs. Kearns – yes, Mrs. Kacin – yes, Mr. Pavlik – no. Motion approved.

11C. CONSIDER ACCEPTANCE OF THE AAUW'S DONATION OF \$100.00 FOR THE INVASIVE PLANT COMMITTEE. Mr. van de Venne moved to approve. Mr. Franke seconded. All present voted aye. Motion approved.

NEW BUSINESS:

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None

OLD BUSINESS:

None

OTHER BUSINESS:

None

ACTION ITEMS:

- ✓ Council had directed staff to place the Murrysville Community Park water issue on a future agenda. Mr. Connors stated that staff will provide Council with information pertaining to options for water at Murrysville Community Park at the July 18, 2007, Council Meeting.

ADJOURNMENT

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

Time: 9:08 p.m.

JOHN M. BARRETT
CHIEF ADMINISTRATOR

Sme7/17/07
Revised 8/7/07

cc: Mayor
Council
Community Development
Finance
Engineering

Police
Public Works
Solicitor
Front Office/Library
Recreation

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* Naming rights signs permitted

Already constructed

** Designated for a donation at the actual cost of the item at the time of planning, purchase and/or construction