

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, November 6, 2019, at 7:00 p.m. in the Municipal Building. Present at the meeting were Council members Toni Brockway, Dayne Dice, Loren Kase, Josh Lorenz, 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 Jamie Lee Kornis was absent.

**PUBLIC HEARING  
ON THE PROPOSED 2020 OPERATING BUDGET**

A Public Hearing was held at 7:00 p.m. for the proposed 2020 Operating Budget.

Ms. Heming stated that the total budget with all of the funds is close to \$13,500,000; The General Fund is \$9,004,000; Capital Reserve Fund \$4,000,000; and Debt Service Payment is \$417,000 (that loan will be paid off in 11 years). The value of one mill of collected real estate tax revenue is estimated to be \$337,000, an increase of 1.00% in 2020. This budget is balanced with no tax increase proposed and all funds will have sufficient balances to meet the proposed operations. Total real estate millage remains at 12.05 mills and .1 mills for hydrants. Ms. Heming wanted to discuss real estate and how it is progressing over the years, and earned income, because that is the bulk of the revenue that makes up around 70% of the General Fund revenues.

Mr. Morrison stated that this budget is for a 5-year forecast. It is becoming more challenging year after year to do that. There has not been a tax increase since 2007. The community is changing. The real estate tax is increasing about 1% per year. The earned income is increasing about 2% per year. There are about half as many houses being built on an average which is the reason for the leveling out of the real estate tax. In regards to earned income tax, Murrysville is going through an age change here. The average age is 48 years. The older people who are retiring at higher incomes are being replaced with younger families just starting out in their careers at much lower incomes. This is the reason the Municipality is seeing a slower growth in the earned income than experienced in the past. Over time, this will even out. The Municipality is bound by the second class township code, as far as taxation is concerned, at a limit of 14 mills for General Purpose. Mr. Morrison noted that a balanced budget has been presented to Council, but we need to begin to take a hard look at revenue sources going forward. Mr. Morrison stated that the main highlight in the Capital Reserve is the increase in cost of road construction. Just like any community, we have infrastructure needs here; bridges that need repaired and replaced. In the 2020 CIP, almost 70% of the expenditures are road improvements. By the end of this 5-year forecast, the Municipality will be very close to the 20% reserve that the Municipality is required to keep in the General Fund. At that point, the Municipality is going to have to look at some other methods of supporting the operations as we operate today.

Ms. Heming stated that the only other major change in the budget this year is that in years past, all of the recreation programs ran on their own as an enterprise fund, which is similar to a small business. Any revenues created were used to generate new programs for the next year. The programs struggled. It seems that families are more geared towards sports and structured events. The programs will now be supplemented through the General Fund instead of going to local businesses asking for donations. There will still be registered programs that were doing very well, sponsored programs, and events geared towards the public like the Santa at Sardis, the Octoberfest, and Townsend concerts. We want the Concert in the

THE MUNICIPALITY OF MURRYSVILLE

Regular Voting Meeting – Wednesday, November 6, 2019

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Park to become an entity that exists on its own. Revenues that come in from sponsorship, booths, or donations will stay with the Concert in the Park. Hopefully, monies will be donated through the Foundation for the concert.

Also included in the General Fund are personnel costs for two new administrative positions. One individual would work alongside the Chief Administrator and an Assistant Finance Director will be hired mid-year to work alongside the Director of Finance until they retire. Most of the other departments are pretty stable; nothing has changed drastically on their expenditures.

Mr. Morrison recognized the good job the Chief did about police overtime by implementing several things within the Police Department that significantly impacted the overtime line item.

Mr. Stepanovich suggested color shading categories in the budget that come in over budget or under budget to make it a little easier to read. Also, Mr. Stepanovich asked if there is any library rating entity that shows if a library is operating at a 1 or a 9, for instance. Ms. Brockway stated that a library has certain guidelines or things they can do to put them at another level. Murrysville Library does operate pretty high in the level of local libraries and has been recognized for its efforts.

Ms. Brockway asked if it was looked at, whether programs at the amphitheater (i.e. jazz festival) could generate income to help address the Parks and Recreation to keep it flowing without additional monies coming from the municipality. Mr. Morrison answered no, not in this year's budget. Staff would like to have another discussion with Council about the amphitheater.

Mr. Kase asked if items that were unexpected this year, like rebuilding the road by the turnpike bridge, and additional legal fees, were allotted for moving forward. Ms. Heming answered yes; there were additional legal fees, stenographer fees, and Zoning Hearing Board fees. Mr. Morrison stated that additional funds were provided in the Capital Reserve.

Mr. Dice asked if there was any progress in finding an Assistant Finance Director and Assistant Administrator. Mr. Morrison stated that progress has been made on the Assistant Administrator. There have been three interviews in the last couple weeks and four more scheduled in the next two weeks. Ms. Heming noted that the Assistant Finance Director has not been advertised yet.

Mr. Lorenz stated that Mr. Morrison and Ms. Heming did a fantastic job with the budget. It's difficult to look ahead and predict where the money is going to come from and where it's going to go. The information is laid out very well. A job well done!

Mr. Dice moved to close the public hearing. Ms. Brockway seconded. All present voted aye. Motion approved. The public hearing was closed at 7:30 p.m.

**PUBLIC HEARING**  
**REZONING REQUEST BY MAGAM INVESTMENT ASSOCIATES, LP, FILE NUMBER Z-1-19,**  
**ROUTE 22, AT THE INTERSECTION OF KISTLER ROAD AND ROUTE 22**  
**ONE PARCEL, 3.56 ACRES, TAX MAP NUMBER 49-15-00-0-027**  
**PRESENT ZONING B (COMMERCIAL), PROPOSED M-U (MIXED USE)**

A Public Hearing was held at 7:30 p.m. on the rezoning request by MAGAM Investment Associates, LP.

Christopher Hamm, KDH Consulting Engineers, is representing Michael Garofalo who was unable to attend. The applicant is requesting a zoning change from a B to an M-U. The proposed use on this site is to have two buildings with professional retail office space on the first floor and a two story townhouse above it with a total of six townhouse units. The client feels it will be a nice buffer between the B-2 zoning and the R-2 zoning adjacent to this property. The plan does go along with the Municipality's Comprehensive Plan on trying to create some diversified housing for the area. The property is 3.54 acres, but there is only a little over an acre that is usable. PennDOT used that area as a fill site during the construction of Route 22. The little plateau that PennDOT created is the only usable area.

The only other offer made to the owner was a dumpster company that wants to use the site to store dumpsters. The current zoning would allow this with a six-foot fence put up around it. Obviously, the owner does not want to do that. He would like to put something in there that is more conducive to the Municipality as a whole.

Mr. Stepanovich asked where Kistler Road is located. Mr. Hamm answered that the road is just west of Rick's Sports Bar; the road that drops down over the hill towards West Pike.

Ms. Brockway asked if the housing was above the office space. Mr. Hamm answered yes, and stated that the front of the building would contain the parking lots and front doors for the retail space. The housing would access and park in the rear of the building.

Mr. Kase asked Mr. Morrison if there was a concern that if this property were re-zoned Mixed-Use that it is now Mixed-Use in perpetuity. Mr. Morrison stated that the reason the applicant has come forward is because what he is proposing to develop there does not fit into a B classification. If Council envisioned a mixed type use there, this would be proper for the zoning. Mr. Morrison stated that the Zoning Ordinance was last updated in 2006-07 and a lot of things have changed.

Mr. Spadaro asked if there were going to be six apartments upstairs from the offices. Mr. Hamm answered yes, that is the current plan. They will not be connected. There will be six individual units with their own access into the building.

Mr. Morrison stated that the property was originally part of the re-zoning that occurred for the general overlay district. It took properties along Route 22, both residential and commercial properties and lumped them into that overlay district that involved the Excelsa property, which is a mix of residential and commercial properties, with the idea that there would be certain mixed uses developed within that overlay district.

**Giuseppe Guilli, 5398 West Pike Street:** Mr. Guilli stated that his concern was with traffic. Right now it's hard to get onto Route 22. Everyone from Rick's Bar goes that way. Is there anything going to be done about that? The road is very narrow and busses use that road. Mr. Lorenz stated that if anyone were to build on that property or improve that property, as part of their site submission and land use application, they would have to provide a traffic study as to how the proposed development would impact that. That would be the next step. This is just a zoning phase right now.

Mr. Spadaro moved to close the public hearing. Mr. Stepanovich seconded. All present voted aye. Motion approved. The public hearing was closed at 7:40 p.m.

### **REGULAR VOTING MEETING AGENDA**

**ROLL CALL/VOTING ORDER:** Carl Stepanovich, Toni Brockway, Tony Spadaro, Jamie Lee Korns - absent, Loren Kase, Josh Lorenz, Dayne Dice and Mayor Synan.

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

**UNISTED AMENDMENTS:** None

Mr. Spadaro moved to approve the agenda as presented. Mr. Dice seconded. All present voted aye. Motion approved.

#### **CONSENT CALENDAR ITEMS**

- A. October 16, 2019 Council Meeting Minutes

Mr. Kase moved to approve all of the consent calendar items. Mr. Spadaro seconded. All present voted aye. Motion approved.

**MAYOR'S COMMENTS:** Mayor Synan congratulated the Franklin Regional Boys Soccer Class 3A Title Champions. That's two years in row, back to back, champions. They were 19-0-1 and after that victory, they had moved up 10 spots to #23. The Mayor asked soccer dad and Council President to give an update on where they are now. Mr. Lorenz reported that the 19-0-1 Panthers are now 20-0-1. First round of the state playoffs were last evening. They played Bradford at North Allegheny High School and won 6-2. Congratulations to the team and coaches there. The Panthers have a state quarter-final game on Saturday, 2:00 p.m. against Erie Cathedral Prep at Slippery Rock High School. Come on out and cheer the Panthers on!

Mayor Synan stated that Veteran's Day is coming up. Franklin Regional Middle School welcomes Vets for an annual Veterans Day assembly. Veterans from Delmont, Export and Murrysville are invited to attend. This year's theme is "Freedom is Not Free." The assembly is November 8 at both 8:30 a.m. and at 10:00 a.m. at the school. An evening performance will take place at 7:00 p.m. on November 7.

This year the Municipal event for the holiday has changed. We are trying this for the safety of the citizens at the major intersection, especially if an emergency situation occurs. Instead of the Friday night event, a Saturday afternoon event will be held December 7<sup>th</sup> at Sardis Park from 2:00 – 5:00 p.m. Join us at the park for games, activities, s'mores, and Santa to kick off the holiday season. Just a quick reminder that this is the Municipal holiday event that used to be on Friday. It has changed to Saturday.

Mayor Synan stated a big thank you to our Veterans. Indeed, freedom is not free. Veterans Day is Monday, November 11; we honor our Veterans.

**CHIEF ADMINISTRATOR'S COMMENTS:** Mr. Morrison stated that he is pleased to inform Council that notice was received from the Commonwealth of Pennsylvania, Department of Community & Economic Development, of an award of a grant up to \$970,000 for the construction of the right hand turning lane heading west on Route 22 to support the development of the Fusting property at the corner of Manor Road and Route 22. Everything is in place and we are waiting for the developer to move forward.

The Glass Recycling Event was held this past Saturday. There was a great turnout with over 270 people and 6.16 tons of glass was collected. We are hoping to expand this to a quarterly event going forward.

Leaf pickup is this weekend and next weekend. Residents are asked to put their paper bags of leaves and small branches which are bundled out the night before.

**COMMUNITY INPUT:** None

**LIAISON COMMENTS AND COMMITTEE REPORTS:**

Ms. Brockway: Nothing to report from the Murrysville Community Library.

Mr. Dice: FTMSA – The interceptor inspections are ahead of schedule. The COA gave the FTMSA four years to get that done. Based on the progress the contractors have made, it's only going to take them two years. The way the pipes are rated 1 – 5 when they find an issue with 1 being a very small issue and 5 being something that has to be corrected immediately; good news -so far they have not found any 4s or 5s. The DEP has approved the discontinuance of the Bel Aire Pump Station. That project is moving along. All of the rights-of-way have been obtained in the Pucketa Creek project. Construction has begun. All of the pump stations are being looked at. The Sloan Pump Station will probably have to be replaced. FTMSA did raise the tap fee from \$3,000 to \$4,200. They had not raised the tap fee in 12 years and are now in line with the surrounding communities.

Mr. Kase: Murrysville Medic One meets on November 21.

Mr. Stepanovich: Last Tuesday, the Environmental Advisory Committee met. They looked at the Acres at Magnolia Farms, which is close to the corner of Saltsburg and Sardis Road. This is a development of 13 lots. There were eight items outstanding, mostly relating to utilities and the Highway Occupancy Permit. Any waivers or modifications would require approval by Council. The second property looked at was a parking lot adjacent to the existing Snoznik business on Old William Penn Highway. There were no modifications, variances or waivers at this time. The next meeting is Tuesday, November 26.

Mr. Spadaro: The Planning Commission looked at the Ronald D. Anderson lot line revision. The property is currently zoned R-1. This subdivision will not alter or affect the current permitted uses. Total acreage on the property being subdivided appears to be 22.30 acres. This was moved on to Council for November 20. The Acres at Magnolia Farms will also move on to Council November 20. The Kline subdivision Plan of two lots is zoned R-2. Total acreage of the property being subdivided is 1.48 acres. Two parcels will be created. Lot 1 will contain .882 acres and Lot 2 will contain .599 acres. This was moved on to Council for November 20. The Snoznik parking lot application was also moved on to Council for November 20. The Walker Subdivision zoned R-R, total acreage being 30.33 acres was discussed and nothing was decided. This was tabled to the Planning Commission's next meeting.

## WORKSHOP ITEMS

### ADMINISTRATION:

#### 9.A. Discussion on the proposed 2020 Operating Budget

Mr. Lorenz stated that a Public Hearing was just held on the proposed 2020 Operating Budget and asked if Mr. Morrison had anything else or additional to discuss. Mr. Morrison answered no, unless Council had any questions. Council had no questions or comments.

#### 9.B. Discussion concerning proposed Policy No. 48-19, a policy outlining requirements for CDL-A Licenses for Public Works hires

Mr. Morrison stated that traditionally the Municipality had a condition of employment requiring all new employees hired into the Public Works Department to possess a CDL license with air brake restrictions removed. There are two vacancies in the Public Works Department and we have been attempting for the last 4-6 months to find replacements. Some applicants fit the requirements for the position but do not possess a CDL license as required. This policy is proposing that, for individuals who do not have a CDL license, during the first 90 days of their probationary period, they be required to get the permit for that license. Because the Collective Bargaining Agreement only allows a 90 day probationary period, they would, at that point, once obtaining the permit, be bumped to the regular rate of a laborer. There would be another 90 day period when they must secure the required CDL license.

Mr. Spadaro asked if the fee was paid by the employee or the Municipality. Mr. Morrison stated that the employee would be responsible for the cost; however, in instances where they would have to take the test and may require a training period of up to 40 hours, the Municipality would provide that time as paid time for the training.

Mr. Kase asked if this is something that could be considered for tuition reimbursement. Mr. Morrison stated that it was considered, but the problem would be if they took the training and then walked away because there is a demand for that license out there. Some of the training could be up to \$2,400 - \$2,800.

Mr. Morrison stated that this will be coming back to Council for a vote at the next meeting.

**ENGINEERING:** None

**COMMUNITY DEVELOPMENT:**

**11.A. Discussion concerning S-7-19, Ferri Lot Consolidation, located at 4541 Ludwig Road, Tax Parcel 49-02-00-0-075, 1.0 acres, R-R Zoning**

Mr. Morrison stated that Mr. Ferri owns both lots; his home is on one and the other is vacant and he wants to put an above ground swimming pool on that lot. Zoning does not permit an accessory use without a principal structure on the property. Mr. Ferri is proposing to consolidate the two lots. This will be back to Council for approval at the next meeting.

**PUBLIC WORKS AND PARKS:** None

**COUNCIL ACTION ITEMS**

**ADMINISTRATION:**

**13.A. Consider approval of Ordinance No. 1011-19, an ordinance restating the Pension Plan for the Non-Uniform Employees of the Municipality of Murrysville**

Ms. Brockway made a motion to approve Ordinance No. 1011-19, an ordinance restating the Pension Plan for the Non-uniform employees of the Municipality of Murrysville. Mr. Dice seconded.

Ms. Heming stated that normally, when a pension plan has amendments to it, the ordinances are basically stacked on top of the pension plan. This ordinance would restate the current plan to include any amendments within the body of the document rather than as addendums.

In a roll call vote: Mr. Stepanovich – yes, Ms. Brockway – yes, Mr. Spadaro – yes, Mr. Kase – yes, Mr. Lorenz – yes, and Mr. Dice – yes. Motion approved.

**13.B. Consider approval of a two-year agreement with Hoffman Kennels for Dog Control**

Ms. Brockway made a motion to consider approval of a two-year agreement with Hoffman Kennels for dog control for the period January 1, 2020 to December 31, 2021. Mr. Spadaro seconded.

Ms. Heming stated that this was presented to Council at the last meeting. Council requested that staff speak to Hoffman Kennels about their proposal to reduce the number of days of patrol from 3 to 2. Mr. Morrison had spoken to the Mr. Hoffman's wife and they are fine with keeping the patrols at 3 days. The only differences with this contract are going from a one-year contract to a two-year contract, the contract will still include 3 days patrol a week, the emergency calls will go from \$85 per call to \$95 per call, and the monthly fee will go from \$415 per month to \$425 per month.

In a roll call vote: Mr. Stepanovich – yes, Ms. Brockway – yes, Mr. Spadaro – yes, Mr. Kase – yes, Mr. Lorenz – yes, and Mr. Dice – yes. Motion approved.

**PUBLIC WORKS AND PARKS:** None

**14.A. Authorize to advertise the sale of Surplus Vehicles**

Ms. Brockway made a motion to authorize advertising of surplus vehicles and equipment through Municibid and the Penn-Franklin news publication. Mr. Dice seconded.

Mr. Paiano stated that he is asking Council's authorization to liquidate some surplus equipment. This year there are two former police vehicles and one public works roller up for liquidation. Staff recommends, at this time, to hold back on the lath and the boring equipment, which is specialized equipment that they need to do some research on and to get a better price at a later time.

In a roll call vote: Mr. Stepanovich – yes, Ms. Brockway – yes, Mr. Spadaro – yes, Mr. Kase – yes, Mr. Lorenz – yes, and Mr. Dice – yes. Motion approved.

**COMMUNITY DEVELOPMENT:**

**15.A. Consider re-approval of FS-1-07, the Shag Bark Plan of Lots, Mamont Road**

Mr. Dice made a motion to re-approve FS-1-07, CU-6-07, Shag Bark Grove, south side of Mamont Road, ¼ mile west of Hills Church Road, R-R Zoning District on 32.75 acres fronting on Mamont Road, a ten lot conventional subdivision requiring the construction of housing and infrastructure within 50 feet of areas of poor soils and steep slopes. Ms. Brockway seconded.

Mr. Morrison stated that this plan of lots was never recorded. The developer has a buyer for several of the lots and is prepared to record the subdivision, subject to the conditions that are outlined in the briefing.

Mr. Lorenz asked if there was anything special or significant that Council needs to know about this plan. Was it just an oversight that the plan was not recorded? Mr. Morrison stated that he believes it was a financial issue. This development is what brought sewer lines to Mamont Road to service this subdivision, but a house was never built.

In a roll call vote: Mr. Stepanovich – yes, Ms. Brockway – yes, Mr. Spadaro – yes, Mr. Kase – yes, Mr. Lorenz – yes, and Mr. Dice – yes. Motion re-approved.

**15.B. A discussion concerning CU-1-18 Conditional Use, CU-2-18 Major Excavation and SP-4-18 for Construction and Operation of the Titan Well Pad, 6189 Bollinger Road**

Mr. Morrison stated that this topic has been discussed for several months and a decision was made over the last couple meetings to address the sound/noise issues. Mr. Morrison stated that he followed up with Acoustical Control, who represents Olympus, AVT, who is the Municipal consultant, and with Mr. Sittig in a telephone conversation to review the September 27<sup>th</sup> report that was generated by Acoustics. It was discussed locating sound monitors out there and there were subsequent conversations concerning provisions for the waiver if they provided data. Information was not received back yet from Acoustical, but hope to have it by this Friday. Tonight Mr. Mudry, who represents Traffic Planning & Design and is the Municipality's traffic consultant, will discuss contacts with both Stahl Shaffer who represents Olympus and the conversations over the last couple weeks concerning traffic generated as a result of this particular land use. A letter from K&L Gates was presented to Council in response to some of Mr. Mudry's comments and

previous correspondence. K&L Gates believes the application should be judged on the merits of not having water piped into the site, although that has not been determined as to whether it will or will not at this point. Efforts have been made to provide water to the site. A lot of comments were centered around the concept of conveying sand and water into the site, which was presented as part of the Conditional Use Public Hearing and the impact moving forward. There was a commitment by Olympus to do certain road improvements and the route to be taken to the well site from Route 66, Silvis Road onto Hilty to Bollinger, and onto the site. Mr. Morrison presented a map for Council's review of the route to the well site and proposed improvements to the road along that route. Mr. Mudry's letter outlined the impact of the convoys if water is not piped into the site. Mr. Mudry's analysis is that water trucks would have nine convoys per hour for no more than 110 days/24 hours a day and two convoys per hour for the sand trucks. The goal is to establish conditions for final approval of the applications.

Ms. Brockway asked how and when Olympus would know if water can be piped in vs. having to truck it in. Mr. Manny Johnson stated that a lot has to go into consideration; the letter of intent, the Municipal Authority of Westmoreland County, and DEP. Once the approval process has gone through here, then they will find out if the MAWC will lay the line, then their proper permits will have to be in place, do their bid work. If Olympus is bringing a line in, then they would have to go through the permitting process with the Department of Environmental Protection too. Once all the approvals are in place, then there would be a more definite timeline. Ms. Brockway asked what a reason would be for NOT piping in the water. Mr. Johnson stated that working with the MAWC, their first priority is the residents. In the event there is a drought condition or something of those lines, they would pull their water source first, which would force Olympus to find other means to truck the water in. The permitting process with the DEP could find something along their route they don't like and to have to keep working through that might keep them from piping the water in. It is the full intent of Olympus to be able to pipe the water.

Mr. Sittig stated that it is not necessarily all or nothing. It could be percentages, or just times of stoppage because of something beyond their control or an emergency. Even if the water is piped in, there might not be enough capacity to handle 100% at any given time.

Mr. Johnson stated that they will be issued a water management plan and get as much as they are able to fully pipe, but sometimes the water structure does not allow that.

Ms. Brockway asked if it was more or less costly to do it either way. Mr. Johnson stated that depends on how far the water has to be brought via pipe. If a source is fairly close by, then it is cheaper to pipe the water in. It would be less damage to the roads, less trucks on the road and less impact to the community.

Mr. Dice stated that the numbers looked like a lot of trucks. Assuming the water cannot be piped, which is the worse option; is this an average amount of truck traffic. Mr. Mudry stated that the numbers come from what the traffic engineers provided based on some similar type sites. This is an average assuming they are running 24/7, with the exception of blackout windows or school busses coming through. Mr. Johnson stated that Olympus really wants to coordinate with the school district, including two-hour delays or school closures, and would not run a convoy with the school buses. Also, an example of a major congestion where they had moved their convoy off the road was a funeral procession, in respect of that family. With things like that, they are flexible.

Mr. Sittig stated that he has been in regular contact with the Solicitor in Elizabeth and can verify what Mr. Johnson is saying about adjustments to bus schedules and extraordinary measures to pipe water in, which

was the preference, and it worked out very well. There were very few complaints from the community. They did succeed in getting water piped in, which made a huge difference.

Mr. Kase stated that there is a concern about the quantity of water trucks vs piping the water in. Where does Olympus stand with an application? There was mention of a letter of intent, but how much further has that gone with MAWC at this point? Mr. Johnson stated that they have met with MAWC, they have a Letter of Intent, and there are a few options. MAWC can bring the line in the same route as the haul route or another option to potentially come through their pipeline. It's a matter of which is the best to give them the most capacity. No final developer's agreement has been signed; they are not to that phase yet. Mr. Kase stated that if it is Olympus' intent to potentially pipe the water in, why isn't it further along? What's stopping an agreement being made on picking one option and moving forward? Mr. Johnson stated that the answer is obviously approval of the project so that Olympus knows they can move forward. Then establishing the exact timing on when the site will be complete for the water to come. Olympus is still working through the approvals of this project.

Mr. Morrison asked if has been determined what the width of the water truck is. Mr. Mudrey stated that the standard truck permitted is 8 ½ feet wide, which will be running simultaneously in opposite directions. Some of the roads out there are measured at 18 feet, but there were some pinch points tighter than 18 feet for two trucks to pass. There are some concerns about the sharp radiuses on Bollinger and even the ones on Silvis. As tractor trailers turn on those radiuses, they do off-tracking as they sweep around those curves; they do not stay perfectly 8 ½ feet wide; the trailer swings out wider. Mr. Johnson stated that is the purpose of the convoy; to navigate the sections where you cannot pass two water trucks through that area. Olympus has already agreed to and proposed significant improvements for this stretch of Silvis, Hilty, and Bollinger Roads. Mr. Morrison stated that he is still concerned about two trucks passing on Silvis Road. Mr. Johnson state that their intent is not to have those convoys passing each other on Silvis Road.

Mr. Stepanovich stated that he thought there was progress being made in discussions with the water authority and presumed that the water was going to be piped in, which would be the best thing for Olympus and the Municipality. Permitting with the DEP should be worked out prior. Mr. Morrison has a very valid point about the trucks passing simultaneously. It was good to hear what Mr. Sittig said about cooperation in Elizabeth Township in regards to the school district bus schedules. Mr. Stepanovich stated that he is just surprised at where things are right now and is still a bit concerned and needs to think more about this. Mr. Johnson stated that in regards to the number of water trucks, this report was put together with the worst case scenario. Olympus has not had to 100% truck a site to date. It is always their full intent to find an economical way to pipe water, but there are situations that could come up where they would want to have the ability to complete the project that they're on. Planning and Council asked for a worst case scenario.

Mr. Sittig explained that there is a substantial amount of time just in the application process. Olympus is not in a position to say I'm ready to go now and to contract with anything. Until they are actually closer to moving ahead, it would be wasted money. Olympus did exactly what Council asked them to do to the extreme end. On the engineering end regarding the roadways, that isn't something in a conditional use preliminary land development. This isn't a permanent use; this is construction for building.

Ms. Brockway asked if there is the possibility of MAWC letting Olympus know if they can or can't get water piped in. Mr. Johnson stated that the opportunity is there to pull water from them. There are a few things

at their end depending on where it is coming from, whether it's through a clean sod or it comes through a raw sod. The options are there and MAWC is willing to work with Olympus. Mr. Richardson stated that it is not just a yes or no from the authority; its DEP permitting and all the regulatory agencies that have to participate in putting the whole project together.

Mr. Stepanovich asked if it was appropriate to have a representative from MAWC come in as part of the discussion. Mr. Sittig stated that Olympus has been upfront with Council and has noted that they can physically get the water to the site. There are a lot of details to work out in engineering, financial, and the permitting. This is as far as Olympus can go now. Mr. Lorenz stated that Council can approve the development with conditions and the applicant can choose to accept those conditions or not accept those conditions.

Mr. Spadaro stated that when we came to the meeting tonight, we expected water. Water was brought up five to six months ago and Olympus said they would look into it and Council hasn't heard anything more about water until tonight. Mr. Sittig stated that Olympus did confirm that water could be gotten there. We weren't expecting anything more than that. Mr. Richardson stated that there is a Letter of Intent with the Municipal Authority and those discussions are continuing with what the best route would be to get the pipeline there. There has been progress in the discussions. Mr. Richardson stated that their intention is to do a waterline, progress to a Letter of Intent, discussions are continuing, a worst case scenario was provided on truck traffic, there was voluminous correspondence back and forth between the traffic consultants. Olympus was very early in identifying road improvements that they are willing to make.

Mr. Sittig stated that this has been a very productive process and expect it to continue. This is where we are and Council has to figure out how they are going to do the conditions.

Mr. Kase asked if a constant water source was needed 24/7. Mr. Johnson stated that the only time they would need constant high rate water supplied is in their fracking days, which is roughly 110 days. Mr. Morrison asked if there would be water storage on site. Mr. Johnson answered that they do store water on site, and the amount would depend on the rate they get to the site. On average they would store anywhere from 10,000 – 30,000 barrels on site, which would be around a million gallons.

Mr. Richardson noted that you really can't enter into a binding contract with the Municipal Authority for water supply until they know what Council's approvals are. This could be conditions or limits, so they can't contractually commit to something until they know what they going to be permitted to do on these operations.

Mr. Morrison stated that Council has to the end of the month to make a decision until they are granted an extension from Olympus. A meeting is scheduled for two weeks from tonight. Mr. Morrison would like to have a set of conditions for that meeting, but that would be the first time to be able to discuss the conditions. Mr. Morrison feels that Council needs another week to discuss the list of the formalized conditions. Mr. Kase noted that since Olympus only received Mr. Mudry's report recently, it might be a good thing for them to have time to respond and get it back to Council and help them to understand how they are seeing it. Mr. Sittig stated that Council is getting legal challenges on the other end and wants to try their hardest to not have conditions that are challenged. It is a use that is permitted conditionally, let's identify the conditions and have Olympus agree on them. That is the goal. Mr. Richardson agreed to grant the extension until the end of December.

THE MUNICIPALITY OF MURRYSVILLE

Regular Voting Meeting – Wednesday, November 6, 2019

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**ENGINEERING:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** None

**ACTION ITEMS:** As discussed in the meeting.

**ADJOURNMENT:** Mr. Stepanovich made a motion to adjourn the meeting. Ms. Brockway seconded. All present voted aye. Motion approved. Mr. Lorenz adjourned the regular voting meeting at 9:46 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.*