

THE MUNICIPALITY OF MURRYSVILLE

Regular Voting Meeting – Wednesday, November 20, 2019

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, November 20, 2019, 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, Josh Lorenz, 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, Jamie Lee Korn, Toni Brockway, Dayne Dice, Carl Stepanovich, Tony Spadaro, Josh Lorenz and Mayor Synan.

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

UNISTED AMENDMENTS: None

Ms. Brockway moved to approve the agenda as presented. Mr. Kase seconded. All present voted aye. Motion approved.

CONSENT CALENDAR ITEMS

- A. Accounts Payable
- B. Cash Investments and Transfers
- C. November 6, 2019 Council Meeting Minutes

Mr. Spadaro moved to approve the consent calendar item. Mrs. Lee Korn seconded. Mr. Dice noted that he will abstain from voting on section A. *Accounts Payable* that pays KU Resources, because he has does work for them in the past. All present voted aye. Motion approved.

MAYOR'S COMMENTS: Mayor Synan stated that State Representative and former Mayor Bob Brooks invites you to a REAL ID seminar/open house at the Murrysville Community Center on Friday December 6th from 11:00 a.m. – 1:00 p.m. PennDOT will be there and hold multiple seminars throughout the event. Sherry Magretti Hamilton, Westmoreland County Register of Wills, will be present to provide certified marriage licenses for people who applied in Westmoreland County as needed for REAL ID and to answer general questions. For more information call Representative Brooks' office at 724-387-1281.

Murrysville teen sets multiple records at powerlifting competition. Fifteen year old James Swift brought home three first place finishes and three state records from the USA Powerlifting Pittsburgh Fall Classic. Swift is ranked first in Pennsylvania and third in the nation for total weight lifted, and he placed first in both the men's open and teen divisions in the 66-kilogram category. Congratulations to James Swift for quite an accomplishment.

Santa at Sardis is the new theme for Christmas this year, which will be held Saturday afternoon from 2:00 – 5:00 p.m. on December 7th. The idea was to give the kids a little more freedom and move the event away from the traffic downtown. There will be a bonfire, games, s'mores, and other foods for the kids and families.

The Municipality's outstanding, top-ranked Franklin Regional Band returns to the Macy's Day Parade on Thanksgiving morning. Be sure to tune in at 9:00 a.m. to see our local youth preform. They are a great representation of this Municipality and School District.

CHIEF ADMINISTRATOR'S COMMENTS: Mr. Morrison stated that notice was received from the Department of Conservation and Natural Resources that Murrysville will receive a \$299,800 grant for the amphitheater project.

Murrysville had a very successful glass recycling event a few weeks ago. The next glass recycling event is scheduled for March 28, 2020.

COMMUNITY INPUT: Mr. Lorenz stated that this is the opportunity for the Murrysville community to talk about anything they'd like to talk about as long as it is three minutes or less.

Barbara Sims, 3837 Hills Church Road: Ms. Sims stated that Council has given considerable thought about conditional use and operation of the Titan Well Pad. Their chief concerns seem to be the impact of noise and traffic from the water and sand trucks. The road is extremely narrow and truck convoys coming and going from the well site will create a dangerous situation. Ms. Sims stated that she hopes Council is also concerned about the effect that unconventional gas drilling in Murrysville will have on the health of the residents. Families in Washington County (a hub of gas drilling infrastructure) are very concerned about the many recent cancer cases. They are pressuring Governor Wolf to do a major health study and to ban fracking until results are known. If you want more information on this, tune into Andy Sheehan on KDKA tomorrow for the 6 p.m. news. Once you allow Olympus to have their unconventional well pad, you open the door to more and more drilling. The lawsuit challenging the Murrysville Oil and Gas Ordinance will be heard in Westmoreland County Court in February. Perhaps you should wait until a decision has been reached before rushing ahead with fracking.

LIAISON COMMENTS AND COMMITTEE REPORTS:

Mr. Spadaro: There was no Planning Commission meeting last night.

Mr. Stepanovich: Parks and Recreation met last night. Mr. Stepanovich stated that it was a rescheduled meeting that he was unable to attend. The next meeting is December 10th.

Mr. Kase: Murrysville Medic One meets tomorrow night. The Murrysville Parks and Recreation Foundation did meet and are now established online on Facebook and the website. Contributions and donations are welcome.

Mrs. Lee Korn: The Pension Board cancelled their meeting this month.

Mr. Dice: FTMSA meets tomorrow.

Ms. Brockway: The Library Board meets tomorrow. The Library is accepting non-perishable donations for the Westmoreland County Foodbank on Friday, November 29 and Saturday, November 30. Each patron who brings in an item will have late fees waived. The Library's Sixth Annual Open House, "Jingles 'n Gingerbread", will take place on Tuesday, December 3rd from 6:00 – 8:00 p.m. There will be crafting,

storytelling, face painting, puppets, balloon activities, around the world appetizers, and various music ensembles featuring our own local high school students. There is no charge and all are welcome. The Library Director, Emma Beaver, submitted her resignation last month. Her last day will be December 5th. She will take over as Head Librarian at Penn State's Fayette Campus. The Library Board of Trustees has several candidates scheduled for interviews over the next few weeks.

WORKSHOP ITEMS

ADMINISTRATION:

9.A. A discussion concerning the replacement of Knox Boxes in various emergency response vehicles and the police station

Mr. Morrison stated that in 2007, the Municipality established a program to provide emergency response personnel access to commercial buildings in times of an emergency. This is for any new construction, for change of use, or if required by the Code Official. A key box is located at each building, which holds inside a key to the door of the building. Emergency personnel will have a key mounted box in the response vehicle which unlocks the key box on the building. This prevents firemen from having to break through doors or windows when fighting a fire. The 2007 equipment now needs to be replaced.

Mr. Stepanovich asked if this was voluntary or if they have to have a key box. Mr. Morrison stated that this is required by any new or change in use or ownership on existing buildings.

Mr. Spadaro asked if the business has to pay for this. Mr. Morrison stated that the business is required to buy the box for entrance into their building. Mr. Spadaro asked if the business is charged a fee for an emergency or false alarm. Mr. Morrison answered no.

Mr. Kase asked if the cost of \$8,500 is for all nine new boxes. Mr. Morrison stated that was correct and it will be on Accounts Payable at the next meeting.

ENGINEERING: None

COMMUNITY DEVELOPMENT:

11.A. A discussion concerning a rezoning request by MAGAM Investment Associates, LP for property located at the intersection of Kistler Road and Route 22, Tax Parcel 49-15-10-0-027, requested to be rezoned from "B" Business to "MU" Mixed Use

Mr. Morrison stated that this is a follow-up from the public hearing at the last meeting. If Council wants to proceed, later on the agenda is a request for authorization to advertise for the ordinance that would be in affect amending the Zoning Ordinance.

Mr. Spadaro asked what the zoning is boarding that property. Mr. Morrison stated that there is R-2 and B-Business; Rick's Sports Bar and apartments. Mr. Kase stated that he feels this makes sense as a buffer and is appropriate for that area. Mrs. Lee Korn's stated that it aligns with the Municipality's Comprehensive Plan as needed. Mayor Synan noted that when the Buncher property was up for the zoning overlay many years

ago, there was talk of adding a right-of-way between Rick's and that property. He is not sure if that was ever filed or taken care of, but there may be a right-of-way between Rick's and this parcel.

11.B. A discussion concerning SP-5-19, The "Snoznik Parking Lot" application to develop one existing tract located at 4445 Old William Penn Highway, MU Zoning District, .35 acres

Mr. Greg Coronoids, KU Resources, stated that they are the company that did the plan for Mr. Snoznik. The location is at 4445 Old William Penn Highway. Mr. Coronoids showed drawings of where the existing gravel driveway would be removed to create a common driveway with a new parking lot area and construction of a garage. Mr. Snoznik owns both pieces of property, but with different tax ID numbers. It is intended that the rear of the property have a parking lot with porous pavement to have water being able to go into the ground. A stockade fence would be installed also, so that no headlights would protrude onto the other neighbors. New sidewalks and ADA ramps will be installed. There will be eleven parking spaces with one being ADA.

Mrs. Lee Kornis stated that staff had listed a condition regarding a maintenance agreement for the privately owned stormwater management facilities and asked if there was any issue with that. Mr. Coronoids stated that they were holding off finalizing those issues until final approval, with conditions.

Mr. Lorenz stated that the two parcels have common ownership but are different deeds. In terms of the additional parking, will there be cross easements amongst the parcels so that parking, ingress and egress are not an issue down the road. Mr. Coronoids stated that was correct. There will be one-way traffic in, and one-way traffic back out with an agreement for both to share the driveways and share the parking as well.

11.C. A discussion concerning consolidated applications S-5-19 and FS-5-19, "The Acres" development a 10 lot - single family, located southeast of the intersection of Sardis Road and Saltsburg Road, 45.415 acres, R-R zoning district

Mr. Coronoids stated that he is also representing The Acres Group. The Acres Plan is located off of Sardis Road. Mr. Coronoids presented a drawing showing where the 10-lot subdivision would be and two future considerations for Parcel B and Parcel C along with Parcel D for stormwater management. These will be single family houses with on-lot stormwater management. The entrance will be just north of Harvest Drive, which is where the utilities will be coming out of.

Mr. Kase asked what the on-lot stormwater system was going to be. Mr. Coronoids stated that it would be a sump-pump system and absorbed into the ground. Mr. Kase asked about the waiver of Ordinance 198 to allow underground stormwater facilities to be located within 50' of the nearest property line. Why must that be where it is? Mr. Coronoids stated that accessing off of Sardis Road is the lowest point to be able to collect as much water as possible. Because they are then close to the right-of-way of Sardis Road itself, that gets them into that situation. The intention is to have the road coming off of Sardis be dedicated for public service. The underground detention systems will be handled by the HOA. The HOA documents would be submitted for approval by the Municipality through the restricted conveyance of the development.

PUBLIC WORKS AND PARKS: None

COUNCIL ACTION ITEMS

ADMINISTRATION:

13.A. Consider approval of Policy 48-19, a policy outlining requirements for CDL-A Licenses for Public Works hires

Mr. Dice made a motion to consider approval of Policy No. 48-19, a policy outlining requirements for CDL-A Licenses for Public Works hires. Mr. Kase seconded.

Mr. Morrison stated that the Municipality has experienced difficulties in finding qualified people for the Public Works Department. This policy requires that if an employee does not have a CDL License, that during the probationary period they secure a CDL License and then within 90 days to possess a CDL-A with air brake restrictions removed. The Municipality would provide time for the individual (up to 40 hours) to attend schooling in order to receive the CDL-A License.

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

13.B. Consider approval to advertise for a public hearing to be held on December 4, 2019 to present proposed amendments to the 2019 General Fund Operating Budget

Ms. Brockway made a motion to consider approval to advertising for a public hearing to be held on December 4, 2019 to present proposed amendments to the 2019 General Fund Operating Budget. Mrs. Lee Kornis seconded.

Mr. Morrison stated that there were nine notes attached to the briefing which support the request for the budget amendment. This would be just moving money in-between departments. Any amendments to current operating budget have to be considered for approval by Council following a public hearing.

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

ENGINEERING:

14.A. Consider release of the bond being held for the completion of the Fox Jr. Development site at 5549 Old William Penn Highway in the amount of \$25,000

Mr. Stepanovich made a motion to release the bond being held for the completion of the Fox J. Development site at 5549 Old William Penn Highway in the amount of \$25,000. Mr. Spadaro seconded.

Mr. Morrison stated that the bond amount was being held for the finishing landscaping requirements and

that now has been completed. The Municipal Engineer has inspected the improvements and staff recommends release of the bond.

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

14.B. Consider release of the bond being held for the completion of the Cornerstone Ministries site, Route 22, in the amount of \$25,000

Mrs. Lee Kornis made a motion to release the bond being held for the completion of the Cornerstone Ministries site, Route 22, in the amount of \$25,000. Ms. Brockway seconded.

Mr. Morrison stated that funds were held until the completion of landscaping and parking lot improvements, which have been completed.

Upon a roll call vote: Mr. Kase – yes, Mrs. Lee Kornis – yes, Ms. Brockway – yes, Mr. Dice – yes, Mr. Stepanovich – yes, Mr. Spadaro – yes, and Mr. Lorenz – abstained, because he is a member of Cornerstone. Motion approved.

14.C. Consider reduction of the sequestered fund amount being held for the required improvements at the Bella Molise Development, Wiestertown Road

Mr. Kase made a motion to reduce the sequestered fund amount being held for the required improvements at the Bella Molise Development, Wiestertown Road from \$265,030.56 to \$179,968.70; a reduction of \$85,061.86. Mrs. Lee Kornis seconded.

Mr. Morrison stated that this is a bond reduction for the required public improvements at the development on Wiestertown Road. There is still some work to be done out there. The engineer has gone out to the site to confirm the amount requested to be released is appropriate, given the progress of the work.

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

COMMUNITY DEVELOPMENT:

15.A. Consider approval of S-7-19, the “Ferri Lot Consolidation Plan” to consolidate two existing tracts located at 4541 Ludwig Road, and are currently identified as Westmoreland County Tax Parcels 42-02-00-0-075 and 49-02-00-0-079, R-R zoning, 1.102 acres

Mr. Dice made a motion to consider approval of S-7-19, the “Ferri Lot Consolidation Plan” to consolidate two existing tracts located at 4541 Ludwig Road, and are currently identified as Westmoreland County Tax Parcels 42-02-00-0-075 and 49-02-00-0-079, R-R zoning, 1.102 acres, attaching the staff recommendations. Ms. Brockway seconded.

Mr. Morrison stated that Mr. Ferri wishes to build a pool. An accessory structure cannot be built on a lot. As a result, Mr. Ferri has request to consolidate the two lots.

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

15.B. Consider approval of S-8-19, the “Ronald D. Anderson Lot Line Revision Plan” to subdivide one existing tract located at 3878 Wiestertown Road, and is currently identified as Westmoreland County Tax Parcel 49-11-00-0-192, zoned R-1, 22.30 acres

Mr. Spadaro made a motion to consider approval of S-8-19, the “Ronald D. Anderson Lot Line Revision Plan” to subdivide one existing tract located at 3878 Wiestertown Road, and is currently identified as Westmoreland County Tax Parcel 49-11-00-0-192, zoned R-1, 22.30 acres; incorporating the recommendations as set forth in the staff briefing. Mr. Stepanovich seconded.

Mr. Morrison stated that this was a simple lot line revision, which was reviewed by the Planning Commission and recommended for approval.

Upon a roll call vote: Mr. Kase – yes, Mrs. Lee Kornis – yes, Ms. Brockway – yes, Mr. Dice – abstained; his firm has done work for Mr. Anderson in the past, Mr. Stepanovich – yes, Mr. Spadaro – yes, and Mr. Lorenz – yes. Motion approved.

15.C. Consider approval of S-8-19, the “Kline Subdivision Plan of Lots #2” located at 4831 Treesdale Court, and is currently identified as Westmoreland County Tax Parcel 49-10-04-0-022, zoned R-2, 1.48 acres

Mr. Stepanovich made a motion to consider approval of S-8-19, the “Kline Subdivision Plan of Lots #2” located at 4831 Treesdale Court, and is currently identified as Westmoreland County Tax Parcel 49-10-04-0-022, zoned R-2, 1.48 acres, along with the Planning Commission conditions of fee in lieu of \$1,250 to be paid and directed to Murrysville Community Park. Mr. Spadaro seconded.

Mr. Morrison stated that this is a simple lot line revision of one lot into two lots for purpose of sale.

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

15.D. Consider authorizing advertising Ordinance #1014-19, an ordinance amending Ordinance #680-05, the Zoning Ordinance, for the purpose of reclassifying Tax Parcel 49-15-10-0-027 property owned by MAGAM Associates, LP located at the corner of Kistler Road and Route 22 from “B” Business District to “MU” Mixed Use District

Mrs. Lee Kornis made a motion to authorize advertising Ordinance #1014-19, an ordinance amending Ordinance #680-05, the Zoning Ordinance, for the purpose of reclassifying Tax Parcel 49-15-10-0-027 property owned by MAGAM Associates, LP located at the corner of Kistler Road and Route 22 from “B” Business District to “MU” Mixed Use District. Ms. Brockway seconded.

Mr. Morrison stated that this was the formalizations of the request for rezoning by authorizing advertising. If authorized, this Ordinance will be presented to Council at the next meeting for formal action.

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

15.E. 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 there was no representation from Olympus here this evening. Reed Smith didn't have an opportunity to speak with their client concerning the proposed conditions, but will be here at the next meeting once authorization was received to move forward. Conditions proposed are either require by ordinance or conditions which Council feels are appropriate for the approval of the well. The majority of the conditions are standard conditions. Two waivers were requested; one for the landscaping, which was recommended to grant, and one for the noise which would permit them to a 10 dBAs above ambient with a limited exception of 5 dBA for a duration of 15 minutes and 10 dBA for a duration of 5 minutes. This was based on a review by AVT with data that was provided by Olympus. Conditions No. 1-11 are standard conditions to be applied; No. 12-14 deals with Excess Maintenance Agreement on the roads; No. 15 deals with the traffic issues and concerns centering around Hilty, Bollinger and access to the site. The conditions are proposing widening of the road at certain areas and supporting the convoy proposed for the sand trucks. No water trucks will be permitted on the roads. Through the presentations, Olympus outlines why they could not provide a formal agreement at this point; MAWC will not provide a formal agreement at this point because of being two-years out on the project. No. 16 specifically states that water to the site will be piped to the site. No. 17 deals with placing three groundwater monitoring wells on the site. No. 18 is a recommendation of the municipal environmental noise consultant, AVT. No. 19 is the air quality detection narrative which was agreed to for on-site safety purposes. No. 20 is the Request for Determination to Pennsylvania Department of Environmental Protection relative to air quality. No. 21-25 are standard conditions of the ordinance. One other condition under the site plan is a request by the Environmental Advisory Committee that the area around the pad site, once the well is completed and is producing, be identified as conservation space to protect that ground going forward. Mr. Morrison stated that these conditions will be discussed this evening. Then after firming up the recommends and getting responses from Reed Smith and Olympus, a set of conditions should be negotiated by next meeting, which can then be approved at the following meeting.

Mr. Lorenz asked if the applicant was going to respond back in writing or communicate before the next meeting on the proposed conditions. Mr. Sittig stated that he spoke with Pierce Richardson and he indicated yes, that they would respond before the next meeting.

Ms. Brockway stated that the conditions do look like the original conditions Council was talking about. She does like Conditions No. 16 and 17 and thinks they may be pushed back. Based on what Council has heard with the amount of trucks and the amount of water on those roads, she would love to see Olympus accept the conditions of piping the water in.

Mr. Dice agrees with Ms. Brockway; that Council is at least trying to see if Olympus will pipe in the water overall.

Mrs. Lee Kornis agrees with both Ms. Brockway and Mr. Dice. Mrs. Lee Kornis asked how often or what the frequency of monitoring the groundwater would be. Is it continuous? Mr. Morrison answered that the

monitoring would be continuous. Mrs. Lee Kornis asked who the hydrogeologist consultant was. Mr. Morrison answered that it would be Core Environmental.

Mr. Kase asked about Condition No. 5 to provide the Municipality with a gas pipeline transportation narrative. Why would we need that information? Mr. Morrison stated that permitting would be required if there is excavation. At this point, Olympus does not wish to get into discussions concerning that, because there could be property acquisitions involved. The Municipality would need to know where it is going and how they are going to get the gas pipeline there. Mr. Kase asked about the noise being continuously monitored and how often it would be reviewed. Mr. Morrison stated that the monitoring is recorded and we, at any time, could have AVT request data from the monitor and do a periodic review. Mr. Kase asked about the conservation space requested by the EAC. Mr. Morrison stated that the original request from the EAC was that Olympus dedicates that property, outside of the fenced area, to an agency such as the Westmoreland Conservancy. Mr. Kase stated that is a large piece of property to require dedication, and doesn't like the idea of having the property owner give that up. There should be a middle ground with that.

Mr. Stepanovich asked if this was going to be 6 wells or 6-12 wells. Everything with the drilling has been based on 6 wells and asked if Olympus has the ability to do 12 wells. Mr. Sittig stated that Olympus can drill within the given time frame, as many wells as they applied for. After that, it would be a new conditional use process. Mr. Stepanovich asked if the 32 foot sound walls were referred to in the conditions and the use of the drilling rig with noise abatement related to it. Mr. Morrison stated that the 32 foot walls are referred to in the AVT correspondence and the equipment will maintain the levels approved within the waiver. The noise apparatus is not on the rig directly. Mr. Stepanovich if the three continuous monitoring sites have been agreed to. Mr. Morrison answered yes; they have been identified and agreed to by AVT. Mr. Stepanovich asked if flaggers have been addressed. Mr. Morrison stated that Traffic Planning and Design is proposing convoys for the sand trucks which involve three vehicles which will be staged at Export Fuel. Mr. Sittig added that the Municipality engineers have recommended dual convoys as an alternative to flagmen, which we are trying to avoid 24 hours a day and then a generator to keep lights running at the site. Olympus has been creative and cooperative in finding a way to safely convoy the trucks.

Mr. Spadaro stated that all of the conditions look fine. The water situation as written in the conditions is straight forward. Either they pipe the water in or you can't have a truck on the road. Mr. Morrison stated that he believes Olympus has every intent to pipe water in, but there is no signed agreement at this point. The conditions are negotiable and there is a two week period to review them. Initially Olympus proposed to truck 20% of the water in. Mr. Sittig stated that the reality is that they may not be able to get enough water. Mr. Morrison stated that the issue with the water is availability; MAWC's ability to produce or provide the amount that they need and the time that they need it. This needs to be worked through.

Mr. Kase asked if the phases are construction, drilling, and completion. Mr. Morrison answered yes and that there are limitations as to the number of trucks permitted to be brought in during each phase.

Mr. Sittig stated that Olympus doesn't have to agree on anything. We don't want to have an appeal or legal battle over conditions, if we can avoid it. Protect PT has weighed in with some requests and conditions. Council has a good handle on what the issues are.

Mr. Morrison stated that the alternative, if Olympus pushes back on the air and water quality conditions, is that doesn't preclude the Municipality from doing our own air monitoring or monitoring of water quality. The burden of the cost would then shift to the Municipality. Those are alternatives that Council may or may not want to consider. Mr. Kase noted that if the Municipality does decide to monitor the air quality and do find that it has gotten worse during the activity, our action would be to report it to DEP. There is nothing the Municipality can do regarding the well; it's not up to us.

Mr. Morrison stated that when the Municipality receives responses from the applicant, they will be forward to Council to be prepared at the next meeting to address them. If Council has any addition thought, get those to staff also.

Mr. Morrison noted that he forwarded the Commonwealth decision on the PT Validity Challenge to Council and the PT ordinance pretty much mirrors our ordinance. Mr. Sittig stated that the conditions will also be part of the findings and conclusions and be attached for approval. PT focused on their concern about conditions and their reference and reliance on the validity challenge that is currently pending. Once these conditions are finalized, Council can render their decision.

PUBLIC WORKS AND PARKS: None

OLD BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION: None

ACTION ITEMS: As discussed.

ADJOURNMENT: Mrs. Lee Kornis made a motion to adjourn the meeting. Mr. Kase seconded. All present voted aye. Motion approved. Mr. Lorenz adjourned the regular voting meeting at 8:43 p.m.

The Regular Voting Meeting and Public Hearing were 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.