

Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, July 21, 2021, 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, Mac McKenna, Tony Spadaro, Carl Stepanovich and Mayor Synan. Also present were Chief Administrator, James Morrison and Solicitor, George Kotjarapoglus.

**A Public Hearing on CU-3-21, Hyperion Midstream Project, Bollinger Road, Tax Map Number 49-12-00-0-007 & 49-12-00-0-008, R-R Zoning. Hyperion Midstream proposes to construct and operate an interconnect site to transfer natural gas to an existing transmission gas line operated by Eastern Gas Transmission.**

A Public Hearing was held at 7:00 p.m. concerning CU-3-21, Hyperion Midstream Project, Bollinger Road, Tax Map Number 49-12-00-0-007 & 49-12-00-0-008, R-R Zoning. Hyperion Midstream proposes to construct and operate an interconnect site to transfer natural gas to an existing transmission gas line operated by Eastern Gas Transmission. Mr. Morrison stated that the applicant appeared before the Planning Commission and the Planning Commission developed some recommendations, which are included in Council's documents.

Mr. Blane Lukas, Attorney for the applicant, stated that this proposal is for what is known as the Bollinger Interconnect. Hyperion is a subsidiary of Olympus Energy. The purpose of the facility is for dehydration and removal of water and transfer of Olympus gas into the Eastern Gas pipeline that passes through the site. The Interconnect falls within the definition of Oil and Gas Development under the Municipality's Zoning Ordinance and is authorized as a Conditional Use in the Oil and Gas recovery overlay district, in which this property is located. Hyperion is requesting Conditional Use for major excavation and a minor encroachment within a wetlands buffer. Mr. Lukas presented three binders of exhibits for the record, which had previously been submitted to the Municipality.

Ryan Dailey, Project Manager with Civil & Environmental Consultants, and Jeremy Burden, Vice President of Hyperion Midstream Engineering, were there to present an overview of the entire project area and to answer any questions. Mr. Dailey stated that access to the site will be the same as the well pad haul route, which will be from Washington Township, across Silvis, Hilty, and Bollinger Roads. The access road is proposed to be 12 feet wide, and by recommendation of the Planning Commission, there will be 4 additional pull-off areas in the event any emergency vehicles would need to access the site and make room for vehicles to pass in the opposite direction. The pad itself is 250 x 180 feet wide.

Mr. Dailey stated that the closest protected structures to the pad are properties located to the south, which are approximately 1,100 feet away – the Ordinance setback for oil and gas activities requires permanent structures and equipment to be located more than 350 feet from protected structures. The closest recreation area is Scouting Knob located off of Bollinger Road, which is at least 2,000 feet away from the pad. Hyperion did submit an application to the DEP which was approved for stormwater management design. The pad itself will be fenced with a 6-foot-high chain link fence for security purposes. Lighting is proposed for the pad, which will be used just during active operations at the site. Mr. Burden then showed a drawing of the proposed landscape plan and explained the modifications requested in the application of the landscaping requirements of 144 trees and 718 shrubs to plant 52 trees and 144 shrubs due to the existing wooded vegetation and topography of the land.

Brad Hazelwood, Landscape Architect with Civil Environmental Consultants, explained the choice of trees and shrubs that are suggested and reason for their placement at the site.

In regards to the Wetlands, Mr. Dailey stated that they are requesting approval for a minor encroachment within a wetland buffer. The grading with the access road comes to about 16 feet away from the end of the wetlands. The Ordinance wetland buffer requirement for a wetland of this size is 25 feet. There is a provision to reduce that buffer by up to 50%. There would not be any impact to the wetlands itself.

Mr. Dailey stated that in the geotechnical report submitted by CEC, there is no indication of any landsliding activity. There were recommendations for earthwork at the site, including excavating to competent materials, installing subsurface drainage, and geogrid reinforcement on steep slope area. A Hydrological Report was prepared and concluded that no residential wells in the area would be at risk in the event of a spill on the site. An air quality study was submitted and the report indicates that the estimated emissions from the project would not result in negative impacts on air quality in the region. A sound impact assessment indicated that they would not exceed the Municipality's 45-decibel noise level. Their sound levels are typically between 12 and 25 decibels.

Mr. Burden presented drawings of the site and facility layout plan and explained the intended use of equipment and operations at the site. The drawings included the control building, metering building, regulation skid, dehydration tower, and vertical water tanks. Civil construction of the access road and actual pad itself should begin in February 2022 and continue through April. Mechanical, physical construction is estimated to be from April to August of 2022. Traffic is estimated to be around 30 trips per day (15 in and 15 out – of workers coming and going to the site) during the construction phase. Once complete, there would be one pickup truck per day of the operator and a water truck once a month to check the storage tanks.

Mr. Morrison asked if the gas coming out of the well is methane. Mr. Burden answered that it is 98+ methane. Mr. Morrison asked if there was a need for compression on the site. Mr. Burden answered that there is no compression anticipated at the site; it is not part of the land agreement.

Mr. Stepanovich asked about fee-in-lieu which had been brought up at the Planning Commission meeting. Attorney Lukas answered that they are open to that subject to discuss it with the Municipality. Mr. Morrison noted that this was brought up as part of the waiver on the landscaping, that a contribution be considered to Murrysville parks.

Mr. Kase asked about the tankers that remove the excess water from the site. Mr. Burden answered that the water that gets stored in the fluid tanks would be pumped into the water trucks. The typical tanker truck is 110 barrels and would come once a month during daylight work hours using the haul route.

Mr. Dice asked for any comments from the audience:

**Barbara Sims, 3837 Hills Church Road, Export:** Ms. Sims asked what they are going to do with the water and if there was anything harmful in the water. Ryan Dolton with Olympus and Hyperion answered that water taken from the site will be for reuse at one of their other sites or taken to an approved facility for disposal. Water at the site is sampled per DEP regulations and handled accordingly.

Hearing no further comments, Mr. Stepanovich moved to close the Public Hearing. Mr. Kase seconded. All present voted aye. Motion approved. The Public Hearing was closed at 8:12 p.m. A complete transcript of the proceedings was recorded by Network Deposition Services.

### **REGULAR VOTING MEETING AGENDA**

**ROLL CALL/VOTING ORDER:** Toni Brockway, Mac McKenna, Dayne Dice, Jamie Lee Korn, Loren Kase, Tony Spadaro, Carl Stepanovich, and Mayor Synan.

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

**UNISTED AMENDMENTS:** Mr. Morrison noted to add 15.D. Consider emergency approval of storm water sewer pipe failure repair in the Heritage Estates Plan of Lots.

Mr. Stepanovich moved to accept item 15.D. to the agenda. Mr. Spadaro seconded. All those present voted aye. Motion approved.

### **CONSENT CALENDAR ITEMS**

- A. Accounts Payable
- B. Cash Investments and Transfers
- C. July 7, 2021, Council Meeting Minutes

Mr. Dice noted that he will abstain from any accounts payable matters or any cash investments related to KU Resources because he has done legal work for them.

Mr. Spadaro made a motion to approve the Consent Calendar Items A, B and C. Mr. Kase seconded. All those present voted aye. Motion approved.

**MAYOR'S COMMENTS:** Mayor Synan stated that Representative Bob Brooks invites you to a Veterans Appreciation Drive-Thru for Veterans of the 54<sup>th</sup> District on Friday, August 6 from 11 a.m. – 1 p.m. You must RSVP before Monday, August 2. Call 724-387-1281 or 724-335-2790. A box lunch will be distributed to veterans and a guest at Pittsburgh Barbecue, 6625 William Penn Highway, Delmont.

The Murrysville Farmers' Market continues Thursdays, June thru September, from 3 p.m. – 7 p.m. at 3235 Sardis Road. Call 724-327-2100 ext. 131 or 115 if you have any questions.

Tuesdays at Townsend with free live performances in the park from 6:30 – 8:00 p.m. August 3<sup>rd</sup> lineup is music by Miss Freddy and food by Hoshi Pittsburgh and Devout Brewing. Any cancellations will be posted on the Facebook event page and website.

The annual Concert in the Park, which use to be known as Community Days, will be Saturday, August 14<sup>th</sup> from 3 p.m. till dusk at Murrysville Community Park. There will be fireworks, food, games, and live music. Fireworks will be at dusk. The fireworks team does this for free for us and the municipality just buys the fireworks. They start around 7 in the morning and finish cleaning up around midnight.

Joy Riders bring senior ride-along program to Redstone Murrysville residents. Joy Riders is a caring collaboration among the Mighty Tri Girls/Total Chaos Triathlon Team, Veterans Leadership Program, and our community. Today, Joy Riders has three active local sites. These sites are the Greater Allegheny Passage (GAP) Trail, the Five Star Trail, and the Heritage Trail. Contact [joyriderspgh@gmail.com](mailto:joyriderspgh@gmail.com) to schedule a ride.

National Night Out with Murrysville Emergency Services will be August 3<sup>rd</sup> at 4:30 p.m., at 4200 Sardis Road. National Night Out enhances the relationship between neighbors and law enforcement while bringing back a true sense of community. There will be food vendors and demonstrations.

**CHIEF ADMINISTRATOR’S COMMENTS:** Mr. Morrison stated that Murrysville receive its first installment of the America Rescue Fund in the amount of \$1,025,000.

Staff met with representatives of the library to discuss the 2022 budget allocation among other things. Mr. Morrison wanted to point out to the community the level of participation that the library receives from the local millage, which is equal to 1 mil of taxes (approximately \$330,000 per year) to support the library.

The cabinets were installed today at the club house. Public Works began the sanitary line, which should be hooked up very shortly.

Fraudulent Workers Comp Claims, which have been mentioned in the newspapers recently, have also happened in the Municipality. Two claims were filed in the names of two police officers. The Finance Department is working with the State to resolve those issues.

**COMMUNITY INPUT:** None

**LIAISON COMMENTS AND COMMITTEE REPORTS:**

Mr. Spadaro: No meeting yet this month for Medic One.

Mr. Stepanovich: The Planning Commission met, and Hyperian Pipeline was the topic of discussion.

Parks and Recreation Foundation met July 13<sup>th</sup>. Two ladies volunteered to join the Foundation with skills particularly in fundraising, which is greatly appreciated. The Treasury is \$63,000. Of that, \$25,000 is dedicated to the Friends of Murrysville Parks, \$25,000 to the Murrysville Community Club House, \$5,000 to the Dog Park, \$8,000 for current and new projects. With respect to fundraising, wine and/or beer tasting seems to be a popular way of soliciting funds. The Iron Rangers collection box will be located adjacent to the MCP playground. Cherry Farm Development which will be on Cherry Lane, had representatives at the meeting. Approval was not sought at this particular meeting. Sewage is to be determined. It may or may not be a Ryan Development. There will be five plans ranging in square footage from 3,000 – 4,500 sf. The estimated move in price of these homes will be from low \$600,000 to low \$700,000. Forty-one of the seventy-seven acres will be open space. There was a re-zoning request for properties adjacent to the Giant Eagle Get-Go. It would basically be going from Mixed Use to Business. All of the other properties in that area are zoned Business.

Mr. Kase: EAC addressed concerns with the Midstream Project.

Ms. Brockway: Murrysville Community Library presents Kahoot – a virtual trivia program on Thursday, July 22, at 7:00 p.m. For registration details, please see the on-line calendar. Creature Constellations with Carnegie Science Center will be Friday, July 23 at 2:00 p.m. at Veterans’ Pavilion. How can there be animals in the sky – discover why constellations look the way they do and the stories behind them. Crinoids – Lilies of the Sea will be Saturday, July 24, at 1:00 p.m. at the Library. Geocaching 101 will be July 31, at 11:00 a.m. at Townsend Pavilion. Spectral Tails will be August 2 at 6:00 p.m. in the Library. Ghost stories and horror tales featuring dogs, tigers, rats and creepy creatures will be told by Alan Irvine.

Mr. McKenna: Parks and Recreations had a Little Tykes Run which was a big hit. They were adorable. The Pipeline Purge was insane. The winner was a guy named Dalton who ran 1.25 mile in a 2-hour period. Second place was a 3-way tie. Tuesdays at Townsend has had some great weather. The daily summer camps have been going very well. Thanks to the staff for all their hard work. There has been some great feedback from the public. Mr. McKenna wanted to thank Public Works for the fantastic job they have done at the parks. There was a project at Townsend Park with pictures in the paper in memory of David Hood, a longtime resident and daily walker on the numerous trails in Townsend Park. Friends of his raised money to replace a worn-out footbridge on the trail and with leftover wood, remodeled the steps to the gazebo. Mr. McKenna read the article and mentioned that a dedication ceremony of the bridge is scheduled for Sunday, July 25<sup>th</sup> at 2:00 p.m. in Townsend Park. The public is invited. A thank you to Dave Metzger and Mike Caruso who are working with the scouts to finish the naming plaques of the trails.

Mr. Dice: FTMSA did meet last week. They are well ahead of schedule in the DEP Consent Order. Originally, they thought they would need an extension on the flow meters due to lack of rain, but that is not going to be necessary. They continue to make repairs as identified by the cameraing and inspection of the lines and manholes. They have begun the smoke testing and overall, the residents’ reactions have been positive. The biggest items at the meeting were Capital Improvements to the plan. They did approve workorders of about \$1million for mechanical upgrades, main power and emergency generator upgrades, they bought more flow meters, and they engaged the engineer Gibson-Thomas to conduct a Capital Improvement Plan.

### **WORKSHOP ITEMS**

**PUBLIC WORKS AND PARKS:** None

**ENGINEERING:** None

#### **COMMUNITY DEVELOPMENT:**

**11.A.** A discussion concerning CU-3-21, Hyperion Midstream Project, Bollinger Road, Tax Map Number 49-12-00-0-007 & 49-12-00-0-008, R-R Zoning, Hyperion Midstream proposes to construct and operate an interconnect site to transfer natural gas to an existing transmission gas line operated by Eastern Gas Transmission.

Mr. Morrison asked if Council had any additional questions. If Council was satisfied, this could be moved to an action item for the next meeting. There were no further questions by Council.

**11.B.** A discussion concerning SP-6-21, a Major Land Development, Hyperion Midstream Project, Bollinger Road, Tax Map Number 49-12-00-0-007 & 49-12-00-0-008, R-R Zoning, Hyperion Midstream proposes to construct and operate an interconnect site to transfer natural gas to an existing transmission gas line operated by Eastern Gas Transmission.

Mr. Morrison stated that this was a site plan approval which goes hand-in-hand with the Conditional Use. There were no questions from Council regarding the site plan.

**ADMINISTRATION:** None

### COUNCIL ACTION ITEMS

**ADMINISTRATION:**

**13.A.** Consider approval of Ordinance No. 1045-21, an ordinance amending the Pension Plan for the Non-Uniform Employees of the Municipality of Murrysville.

Dr. Lee Korn made a motion to approve Ordinance No. 1045-21, an ordinance amending the Pension Plan for the Non-Uniform Employees of the Municipality of Murrysville. Ms. Brockway seconded. All those present voted aye. Motion approved.

Mr. Morrison stated that this was discussed at the Workshop Meeting last meeting. There were two issues in the plan. Initially the plan here in Murrysville was an Annuity Plan through a life insurance company and in the year 2000 it was switched over to a Pension Benefit Plan. When the vesting changed over from 10 years to 5 years, the Pre-retirement Survivor Annuity Death Benefit was not changed from 10 years to 5 years. The second amendment would be changing on how the Late Retirement Benefit is calculated. There was a lot of confusion on the document language if you work beyond the age of 65 and this amendment would clarify that.

**13.B.** Consider approval to renew the cyber insurance with Travelers in the amount of \$5,173 for the fiscal year of August 2021 to July 2022.

Dr. Lee Korn made a motion for approval to renew the cyber insurance with Travelers in the amount of \$5,173 for the fiscal year of August 2021 to July 2022. Ms. Brockway seconded. All those present voted aye. Motion approved.

Mr. Morrison noted that these days and times, if you don't have cyber insurance, you are just asking for trouble. The current General Fund Budget includes \$6,000 for cyber insurance for the year. This year, there had to be some upgrades done to our software security, which requires a second access code to log into the system.

**COMMUNITY DEVELOPMENT:** None

**ENGINEERING:**

**15.A. Consider release of surety being held to insure completion of the required improvements at the GetGo land development.**

Ms. Brockway made a motion to consider release of the bond being held to insure completion of the required improvements at the GetGo site in the amount of \$855,250.00. Mr. Stepanovich seconded. All those present voted aye. Motion approved.

Mr. Morrison stated that the project is completed, and inspections have taken place. Staff recommends release of the bond.

**15.B. Consider authorization to advertise for bids for DPW-7-21, the Chip Seal Project.**

Mr. McKenna made a motion to authorize to advertise for bids for DPW-7-21, the Chip Seal Project. Mr. Kase seconded. All those present voted aye. Motion approved.

Mr. Morrison stated that we are trying alternative treatments. These roads, Hankey Church and Beighley Roads, were chip sealed about 9 years ago. The work needs to be done again. The estimate cost is around \$65,000 which is in the Capital Reserve.

**15.C. Consider reducing the sequestered funds being held to ensure completion of required improvements at the Hillstone Village Development in the amount of \$53,820.**

Mr. McKenna made a motion to consider reducing the sequestered funds being held to ensure completion of required improvements at the Hillstone Village Development in the amount of \$53,820. Dr. Lee Korn seconded. All those present voted aye. Motion approved.

Mr. Morrison stated that the developer has requested a reduction in the sequestered funds as the contractor has completed a portion of the required improvements. The work has been reviewed by the Engineering Department and is recommended for approval.

**15.D. Consider emergency approval of storm water sewer pipe failure repair in the Heritage Estates Plan of Lots.**

Dr. Lee Korn seconded. All those present voted aye. Motion approved.

Mr. Morrison stated that this is the second failure in Heritage Estates in less than 12 months. There was a 24-inch storm sewer, approximately 17 – 24 feet deep, that collapsed. The work is beyond the abilities of Public Works equipment and personnel. The engineer has reviewed this and suggests that this is an emergency situation. The work at this point is estimated to be between \$50,000 - \$100,000. The pipe was put in by the developer at the time. He is currently deceased. The Solicitor concurred that this is an emergency.

THE MUNICIPALITY OF MURRYSVILLE

Regular Voting Meeting – Wednesday, July 21, 2021

---

**PUBLIC WORKS AND PARKS:** None

**OLD BUSINESS:** Mr. Stepanovich asked about the streetscape at the intersection of Old William Penn and Sardis. Since it was repaved, is there going to be new streetscape there. Mr. Morrison said that the crosswalk bid was awarded at the last meeting.

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** Mr. Stepanovich made a motion to adjourn the meeting to an executive session to discuss a litigation matter. Mr. Spadaro second. All those present voted aye. There was no action anticipated coming out of the session. The meeting was adjourned at 8:12 p.m.

**ACTION ITEMS:** None

**ADJOURNMENT:** After the Executive Session, the meeting was adjourned at 9:45 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.*