

MINUTES

The Moon Township Board of Supervisors, Allegheny County, met in regular session at the Moon Township Municipal Building, 1000 Beaver Grade Road, Moon Township, PA 15108.

The meeting was called to order at 7:00 p.m. with the Pledge of Allegiance to the Flag, Chairman Tim McLaughlin presiding. Supervisors present: Mr. McLaughlin, Mr. Gribben, Mr. Eicher, Mr. Vitale and Mr. Sinatra.

PUBLIC COMMENTS ON AGENDA ACTION ITEMS:

(There were none.)

APPROVAL OF MINUTES:

Action Item—Approval of the minutes of the Workshop/Budget Meeting of December 16, 2009, Regular Meeting of February 3, and Special Meeting of February 8, 2010, which were distributed to the Board of Supervisors for their approval. Motion made by Mr. Eicher, seconded by Mr. Vitale. Yes votes were cast by Mr. Eicher, Mr. Vitale and Mr. Gribben. Mr. Sinatra and Mr. McLaughlin voted no. Motion carried.

Reports as they were received will be available for public review for 24 hours at the Township Office. They include:

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| a. Animal Control | j. Moon Transportation Authority |
| b. Building Permits | k. Moon Twp. Municipal Authority |
| c. CATV Advisory Board | l. Moon Twp. Public Library |
| d. Deed Transfer | m. Moon Twp. Recreation Authority |
| e. EMS Tax | n. Parks & Recreation Dept. |
| f. Environmental Advisory Council | o. Planning Commission |
| g. Fire Department | p. Police Department |
| h. H.A.R.B. Board | q. Road Department |
| i. Moon Industrial Development Authority | r. Valley Ambulance Authority |
| | s. List of bills to be paid |

ANNOUNCEMENTS:

- A. Mr. McLaughlin recognized Moon Township Public Works Department, Parks Department and Public Safety personnel for their outstanding efforts in response to the historic snowfall during the month of February.
- B. Mr. McLaughlin recognized Karl Rosario as being named one of the top youth volunteers in Pennsylvania for 2010 in the 15th annual Prudential Spirit of Community Awards. Mr. Rosario was presented with a proclamation by the Board of Supervisors.
- C. Mr. McLaughlin recognized Eagle Scouts John E. Bubeck, Jr. and Wyatt Carilli of Troop 310.
- D. Mr. McLaughlin said that PennDOT District 11 is advising motorists that drainage repairs will be made on Brodhead Road in Moon Township, weather permitting. The

work area is between Flaugherty Run Road and Boggs School Road. Traffic on Brodhead Road will be reduced to a single lane alternating use from 7 a.m. to 5:30 p.m. as needed on weekdays through March 31. No weekend work will occur.

NEW BUSINESS:

Action Item—Mr. McLaughlin called for a motion to approve/deny the Mooncrest Community Center addition Certificate of Appropriateness as recommended by the Historical and Architectural Review Board at their February 3, 2010 meeting. Motion to approve made by Mr. Eicher, seconded by Mr. Sinatra. Mr. McLaughlin recognized Sister Rene Procopio of the Felician Sisters who described the after school program that is conducted by the Felician Sisters in the Mooncrest Community Center and the need for this expansion. All Supervisors voting yes, motion carried.

Public Hearing—1521 Coraopolis Heights Road rezoning

Mr. McLaughlin opened the continued public hearing on the rezoning request for 1521 Coraopolis Heights Road. Those wishing to give public testimony were sworn in by the court reporter. On behalf of the applicant, a presentation was made by Jon Kamin, attorney; Steven Victor, architect; and Joe McEntee of Wegman Properties. They detailed the project and reasons for the rezoning request. Mr. McLaughlin called for comments from the public. Speaking in favor of the rezoning request were John Smith of McCaffrey Drive, Vince Tucceri of Thornwood Court and Fran Rich of Broad Hill Farms Road. Representing the Nyetimber neighborhood, attorney Steven Jurman gave testimony and asked questions on why the rezoning request should be denied. He questioned Roberta Sarraf, professional planning consultant. Speaking in opposition to the rezoning request were the following: Richard Sica of 2323 Gentry Road, Robert Capwell of 1515 Coraopolis Heights Road, Kurt Gottschalk of 10 Cherrington Lane, Lynn McCullough of 217 Gladdwood Road, Mary Ellen Tesla of 203 Hayeswold Drive, Tim Hays of 111 Nyetimber Parkway, Glenn Bush of 213 Great Oaks Drive, Julie Tilton of 106 Great Oaks Drive, George Miller of 402 Marney Drive, Lawrence Crncic of 410 Marney Drive, Rose Varsanik of 104 Great Oaks Drive, Norma and Jerry Loefrink of 121 Hayeswold Drive, Ellen Northy of 106 Hayeswold Drive and Larry Bufalini of 1733 Beaver Grade Road. Anita Tarquinio Marcocci of Queens Drive said that her father and late mother are the owners of the property. She explained why they are seeking the rezoning request and gave some history of the property. Following the presentations and testimony, Mr. McLaughlin called for a motion to close the public hearing. Motion made by Mr. Gribben, seconded by Mr. Sinatra. All Supervisors voting yes, motion carried.

Mr. McLaughlin said that the Board has three options. They can make a motion to approve, deny or table this ordinance. Mr. Firman said that within the tabling option would be to continue it and add the overlay district as was mentioned earlier in the public hearing. The Board could also table this action without adding the Carnot Village overlay district. Mr. Eicher asked if the Board is under any time constraints. Mr. Firman said not on the matter that is currently before the Board; this is a legislative consideration of a zoning change; not a curative amendment. The Board is not under a time limit for the rezoning application. Mr. McLaughlin called for a motion to approve, deny or table (with consideration of the Carnot Village overlay district). Mr. McGurk said that even though this is an amendment to the zoning map, which is a part of the zoning ordinance, our particular ordinance states that a decision needs to be made 90 days from today. We do

have enough time to readvertise the overlay district, assuming it would be done at the May Board of Supervisors meeting. Mr. Firman said that if the change to the ordinance would add the Carnot Village overlay district, another public hearing would be required.

Mr. Vitale made a motion that the Board table action on the rezoning request and add that parcel to the Carnot Village overlay district. There was no second to the motion.

Mr. Sinatra made a motion that the Board deny the rezoning request. Motion seconded by Mr. Eicher. Yes votes were cast by Mr. Sinatra, Mr. Gribben, Mr. Eicher and Mr. McLaughlin. Mr. Vitale voted no. Motion carried to deny.

[The Board took a five minute recess.]

Action Item— McLaughlin called for a motion to approve/deny the Nyetimber Group Residence Minor Land Development Plan application subject to the Township Planning Department's review letter dated March 2, 2010. Mr. McGurk said that the same applicant will be making a presentation on this plan. Mr. Kamin said that this is a minor land development plan that creates four lots. It would have one group home on each of the lots. It is designed to be completely in compliance with Moon Township's code. There are two open comments in the review letter. They need to provide a final plat and they need to make sure they have clear sight triangles. Mr. Kamin said that they believe they can meet both of those comments and would be willing to accept conditional approval this evening, subject to meeting those comments. Mr. McGurk said that those are the only two outstanding comments. A revised plan was submitted last week after the Planning Commission made a recommendation that the Board deny the application. It was reviewed by himself and the engineer. His comment letter was updated and there are two remaining comments as indicated. Mr. Petroccia said that there are also some engineering comments, mostly focusing on missing information. None of the information that is there is a problem. But they are missing the metes and bounds on their subdivision lines and stormwater information. He had a total of about 20 comments that the applicant needs to address to make their plan compliant with the technical side of the ordinance. Mr. Kamin said that he believes they are all plat issues that can certainly be addressed. Mr. Eicher said that he had some questions for Mr. Petroccia. Under his stormwater management comments, he asked if he could comment on the stormwater release rates. Mr. Petroccia said that they have changed the grading on their land so that more of the stormwater will run off toward Beaver Grade Road and that goes down to Montour Run. The release rate will have to be 70 percent of the pre-development release rate. They can create a stormwater basin or an underground stormwater storage facility but they have not provided the information to achieve that lower rate. Mr. Kamin said that if this is a concern, they would be happy to have the application tabled until they present the final plat to the Township Engineer for review to deal with all of the outstanding issues. Mr. Firman said that the timeline for the Board to make a decision expires on March 21. Mr. Kamin said they would be happy to give a 60 day extension so there are no issues whatsoever. Mr. Eicher made a motion to table this action for no more than 60 days. Motion seconded by Mr. Gribben. All Supervisors voting yes, motion carried.

Action Item—Mr. McLaughlin called for a motion to approve Resolution R-9-2010 which updates Resolution R-16-1987 regarding conduct and agenda preparation for meetings of the Board of Supervisors. Motion made by Mr. Sinatra. There was no second.

Action Item—Mr. McLaughlin called for a motion to adopt Resolution R-10-2010 under Section 147(f) of the Internal Revenue Code as requested and recommended by the Moon Industrial Development Authority for Community Living and Support Services, Inc. and United Cerebral Palsy of Pittsburgh, Inc. Motion made by Mr. Sinatra, seconded by Mr. Eicher. Mr. McLaughlin asked Ms. Creese to explain this motion. Ms. Creese said that this is similar to the item approved by the Board of Supervisors last month. It is a recommendation from the Moon Industrial Development Authority (MIDA) providing funding for United Cerebral Palsy of Pittsburgh. These are just approval motions. All Supervisors voting yes, motion carried.

UNFINISHED BUSINESS:

Action Item—Mr. McLaughlin called for a motion to award the bid for the Moon Township Fireworks Display to Zambelli Fireworks Internationale for \$13,250.00 as recommended by the Parks & Recreation Director in his memorandum dated February 23, 2010. Motion made by Mr. Gribben, seconded by Mr. Sinatra. All Supervisors voting yes, motion carried.

Action Item—Mr. McLaughlin called for a motion to award the bid for the 2010 Moon Township Road Program to Youngblood Paving, Inc. of Wampum, PA for a base bid of \$966,309.55 as recommended by the Township Engineer in his letter dated March 1, 2010. Motion made by Mr. Vitale, seconded by Mr. Sinatra. Mr. McLaughlin asked Mr. Petroccia to give some background on this motion. Mr. Petroccia said that Youngblood Paving is the same paver as last year. They were recommended last year and did a good job. They came in 25 percent lower than the highest bid and 15 percent below the average bid. We had ten bidders so we had an active, competitive bidding process. He thinks we have a very competitive bid. As he mentioned at the workshop meeting, it does have the asphalt price index in there so there may be some variability. But we have the difference between our budget price and the bid price to cover any variability. All Supervisors voting yes, motion carried.

Action Item—Mr. McLaughlin called for a motion to award the bids for the sale of miscellaneous Moon Township equipment obtained by on-line auction at Municibid.com and outlined in Exhibit A to this agenda as recommended by the Township Manager. Motion made by Mr. Sinatra, seconded by Mr. Gribben. All Supervisors voting yes, motion carried.

MOTION TO PAY THE BILLS:

Mr. McLaughlin called for a motion to pay the bills [**check no. 5159 through check no. 5553, EFTs, Capital Reserve check no. 1090 through check no. 1092, Liquid Fuels check no. 2072, and 2005 bond fund check no. 151 through check no. 153**]. Mr. Sinatra said that he would like a bill to be added to the bills list. We received a bill from Sainovich, Santicola and Steele representing \$8,366.50. What isn't on that bill was work being done on a cat ordinance for \$462.50 for a total of \$8,829.00. In looking through the bill, there is no reason to hold it up at this time. It is not listed on the bills to be paid. He would like to make a motion that it be added to the list of bills to be paid tonight. The motion was seconded by Mr. Vitale. Mr. Eicher asked for an explanation of why that bill was not on the checks list. Ms. Creese said that the check register that is before the Board are the items that have been reviewed by the department heads, Finance Director

and Township Manager. We did receive the invoice from the Township Solicitor. There are various items on that bill that we had questions about that were submitted to the Board. We have not had time to meet with the Board yet to have those questions answered, which is why it was not added to the check register. Those questions were submitted to the Board in writing. As soon as we have time to meet with the Board to obtain answers, we will recommend payment. But at this time, the full amount for which Mr. Sinatra made the motion is not recommended for payment at this time. There are various amounts on the bill that are recommended, but not the full total. Mr. Sinatra said that he made the motion to pay the bills and add this total amount of \$8,829.00 to Sainovich, Santicola and Steele. Mr. Vitale said that he is not sure he understands the motion now. Mr. Sinatra said that the motion is to pay the bills including the February 24, 2010 of \$8,366.50 with the addition of the cat ordinance of \$462.50 for a total of \$8,829.00 which isn't in the list of bills to be paid. Yes votes were cast by Mr. Sinatra, Mr. McLaughlin and Mr. Vitale. Mr. Eicher and Mr. Gribben voted no. Motion carried.

COMMENTS FROM THE AUDIENCE: (There were none.)

REMARKS FROM THE SUPERVISORS:

Mr. Gribben said that he wanted to commend the three young men that were recognized this evening. It takes a lot of commitment to earn the Eagle Scout badge and pull together a fund raiser as the other young man did. It was quite an accomplishment by three young men of the Township.

Mr. Eicher said that he would like to make one comment and one motion. We have received complaints of a personnel nature involving employees and officials of the Township. To address those complaints, I make a motion that we refer this matter to our labor counsel for review, evaluation and advice. Mr. Eicher's motion was seconded by Mr. Gribben. Yes votes were cast by Mr. Eicher, Mr. Gribben and Mr. Vitale. Mr. Sinatra and Mr. McLaughlin voted no. Motion carried.

Mr. Vitale had no comments.

Mr. Sinatra said that the Board had a long meeting tonight. What came out tonight was that a bunch of people care about Moon Township and every seat was filled. We sit up here as Supervisors of Moon Township and have to make some tough decisions. Some people will go away not happy. But at least our government is in working order where you are able to come to a Supervisors' meeting, stand at the podium and speak your piece. He thinks that is what is great about local government, We are all able to sit in this room, respect each other and come to the best decision as a group of Supervisors that we think will be best for the community and have Moon prosper.

Mr. McLaughlin had no comments.

There being no further business before the Board, the meeting adjourned at 10:45 p.m.

Respectfully submitted,

Janet L. Sieracki
Assistant Municipal Secretary