

## **MINUTES**

The Workshop Meeting of the Moon Township Board of Supervisors was called to order at 6:00 p.m. with the Pledge of Allegiance to the Flag, Chairman Jim Vitale presiding. Supervisors present: Jim Vitale, Frank Sinatra, Tim McLaughlin, Marvin Eicher and Andy Gribben. Also present: Jeanne Creese, Adam McGurk, Jeff Ziegler, Lisa Lapaglia, Dana Kasler, Jim Koepfinger, Chief Leo McCarthy, Meghan McNamara, Blaine Lucas, Mal Petroccia, Dan Cohen, Craig Swen, John Hertzler, Bill Napierski, and Tom Arnold.

### **Public Comments on Agenda Action Items:**

(There were none.)

### **General Comments from the Public:**

Mr. Arnold said that he feels that the Pennsylvania Governor should be taxing Marcellus shale drilling. It is a new source of revenue and the Board should be encouraging the Governor to enact such a tax. He understands that other states have it and we should as well. Mr. Vitale said that right now the Board is just beginning to study the Marcellus shale issue to determine what action, if any, the Board needs to take.

### **Presentations:**

**Moon Youth Football Program**—Representatives of MCAA Youth Football Program said that their organization has been a part of the community for many years. MCAA has always been supported by the school district with a place for the youth football teams, cheerleaders and dance team to practice. They have about 400 children in their program this year. Last week they found out from the school district that their practice fields will be taken away due to the construction that is occurring at the school district. They are coming to the Township because they have nowhere to practice and are requesting space to practice. They understand that there are a number of other community groups, school groups and leagues that need space in our parks but hopes that the Board can assist them in getting a place to practice. After discussion, the Board directed Mr. Kasler to work with the group to try to accommodate not only their needs but also meet the needs of the school district and other community groups. The MCAA representatives thanked the Board and left the meeting.

**Bon Meade Resident Group**—Dana Kasler said that he was approached by a group of Bon Meade residents who are concerned about the condition of the play equipment in the Bon Meade playlots on Meade Drive and Loch Shin Drive. He met with them on site and agrees that the condition of those playlots is not what they should be. Some safety improvements were made but, unfortunately, some of the outdated equipment has not been removed. The residents approached him with an idea of not only cleaning up the area but also replacing some of the equipment. Speaking on behalf of the group, Eileen Shephard introduced Mary Yakubisin and Karen Santo. Ms. Shephard said that they formed a committee last year with a goal of improving the neighborhood playlots. They have been working with Mr. Kasler on sizing and cost. She showed diagrams of the equipment that they would like at the Meade Drive playlot. If this can be accomplished, they would like to see the current Meade Drive equipment moved to the Loch Shin Drive playlot. The reason that they are here today is to ask the Board's approval and give

them matching funds in the amount of \$30,000 (half of their \$60,000 budget) toward new equipment for the playlot. They are also asking the Board's permission to begin fundraising. Mr. Vitale asked how this would impact the Township budget. Mr. Kasler said that he has spoken to Ms. Lapaglia about this matter. While there are no specific funds allocated for this purpose in the 2011 budget, there are sufficient funds within the Parks Department capital reserve budget for playground equipment. Mr. Kasler said that he invited the neighborhood group to attend this evening because he thinks it admirable that they are willing to fund-raise for this purpose and want to be an active part of this effort. Mr. Sinatra said that he feels that the effort by the neighborhood group is great. However, he asked what would happen if the group was only able to raise \$10,000 rather than \$15,000. Ms. Shepherd said that plan could be scaled back and equipment added as the funds become available. Mr. Kasler said that the amount budgeted by the neighborhood group includes installation. If they were only able to raise enough funds for the equipment, installation could be done by the Parks Department employees if necessary. The Board felt that this was a good thing, and Mr. McLaughlin said that he was somewhat embarrassed that we did not take the lead on this. Ms. Yakubisin said that all the members of the group have small children and will be enjoying the playlot for some time and will continue to work with Mr. Kasler to make sure that the lots are maintained. Mr. Kasler said that he also wanted to commend Lance Welliver who has also worked with the resident group on this project. Mr. Eicher asked if there has been vandalism at the Loch Shin Drive playlot as it is located down a hill and out of the public view. Mr. Kasler said that any equipment that has been vandalized has been removed. This is why the main focus is the Meade Drive playlot at this time. It is also a requirement to make the playlot accessible. Because of its location, the Loch Shin Drive playlot would require extensive grading to make it accessible, which would be cost prohibitive. Ms. Shepherd said that she and her family use Loch Shin, particularly last winter as it was good for sled riding. As a result, they did not want to exclude Loch Shin from their plans. Mr. Kasler asked Chief McCarthy if the Police Department has received calls with regard to activities at the Loch Shin Drive playlot. Chief McCarthy said that he has not received any calls. However, this may be an area for video surveillance because of its location. Mr. Kasler said that we would be looking at all of our options.

Mr. Eicher asked who would control the fundraising and the funds that would be raised. Mr. Kasler explained that the group does not have non-profit status as yet so the funds would be given to the Township to be held in an allocated account. Ms. Creese said that any donation made by an individual would be viewed as a charitable donation and a tax deduction. Mr. Lucas confirmed that was correct.

Mr. Vitale called for a motion to allow the Bon Meade Playlot Committee to fundraise and the Township will hold the funds. Motion made by Mr. Eicher, seconded by Mr. Gribben. All Supervisors voting yes, motion carried.

Mr. Vitale called for a motion to set up the situation where the Township would match the funds raised to a maximum of \$30,000 for the building of this playlot, the funds designated from the playground line item in the capital reserve budget. Motion made by Mr. Sinatra and seconded by Mr. McLaughlin. All Supervisors voting yes, motion carried.

The Bon Meade representatives thanked the Board and left the meeting.

**Moon Township Little League Baseball**—John Hertzler, president of Moon Township Little League Baseball, and Dave Homol, treasurer, addressed the Board. Mr. Homol gave a background of the problems they are experiencing at Baker Field. The fields are owned and maintained by the baseball association. Following the remnants of Hurricane Ivan in 2006, the creek that runs behind the fields overflowed its banks and wiped out the fencing at one of the two fields. The damage was repaired by the baseball association. But two years ago in June, another similar rainfall occurred and the field again sustained damage. As a result, the creek has been coming closer and closer to the fence. The stream has eroded the area behind their batting cage. They hired Lennon, Smith & Souleret Engineering to develop a stream stabilization project to protect their fields. LSSE is in the process of getting the necessary permits from the DEP. The baseball association is concerned that this is going to be a very expensive project and they may not have all the necessary funds to do this project. Mr. Hertzler said that the last stage of the project is that they have to obtain a Moon Township grading permit, which is estimated to be about \$1,500. One of the requirements of the grading permit is to obtain a \$59,000 bond. He understands that the requirement to have that bond is negotiable. They are here to request a waiver of the bond requirement. They would also like to request a waiver of the \$1,500 grading permit fee. Mr. McGurk explained that the bonds for a grading permit are not all that expensive. He described how the amount is calculated. He feels that the amount to complete a project like this would be no more than several hundred dollars. Mr. Petroccia said that the association should go through the permitting process. He does agree that the bond should not be more than several hundred dollars. Without knowing a specific number, he cannot recommend whether or not the Board should waive it. That would be a Board decision. Mr. McGurk said that the bond amount is \$500 per acre; so in this case it would be the minimum of \$500. The application fee is \$500 and the escrow required is \$1,000. The escrow amount covers Mr. Petroccia's fee to look at the plan. The cash bond amount is returned when the project is completed. Mr. McLaughlin said that he wanted to make sure that bonds were not waived for the soccer association in the past as all groups should be treated equally. Mr. Lucas said that whatever the Board decides to do, it should be a consistent policy. After discussion, Mr. McGurk said that the application fee and escrow are up to the Board. But he would recommend that they not waive the bond because we have had previous bond waiver requests from Our Lady of Sacred Heart and the Board felt they did not want to set that precedent. Mr. Vitale called for a motion to waive the application fee and the escrow. Motion made by Mr. Eicher, seconded by Mr. Gribben. Mr. Sinatra said that he would like to amend the motion that staff look back and see what the soccer organization paid the Township and the baseball association be treated equally. Mr. McGurk said that they paid the Township \$1,500—the application fee and the escrow. However, they do still owe the Township some money as there were deficiencies in their plan that had to be reviewed. All Supervisors voting yes, motion carried. Mr. Hertzler and Mr. Homol thanked the Board and left the meeting.

**Action Items:**

1. Mr. Vitale called for a motion to accept the resignation of Ms. Ayanna M. Lee from the Historical Architectural Review Board (HARB) for a term expiring the first Monday in January, 2014. Motion made by Mr. Sinatra, seconded by Mr. McLaughlin. All Supervisors voting yes, motion carried.

2. Mr. Vital called for a motion to accept the resignation of Mr. Rick Vaccarelli from the position of alternate on the Zoning Hearing Board for a term expiring the first Monday in January, 2013. Motion made by Mr. Sinatra, seconded by Mr. Gribben. All Supervisors voting yes, motion carried.
  
3. Mr. Vitale called for a motion to grant a Waiver of Conflict to Babst, Calland, Clements & Zomnir for work on the Giant Eagle GetGo Project as disclosed in their letter dated March 24, 2011. Mr. Lucas explained that one of the attorneys in his firm is representing Giant Eagle in a personal injury case for a Giant Eagle nowhere near Moon Township. It is completely unrelated to this but he wanted the Board to be aware of it. Babst Calland can continue to work on the GetGo but they need a waiver from the Board. Motion made by Mr. Sinatra, seconded by Mr. Gribben. Mr. Mr. Laughlin thanked Mr. Lucas for bringing this to the Board's attention. All Supervisors voting yes, motion carried.

### **Discussion Items:**

**GetGo Sidewalk and Street Tree Agreement**—Mr. McGurk said that in attendance this evening is a representative from Giant Eagle/GetGo to talk about the issue at hand. Since this matter was just raised, the Board may want to discuss it at this time. Mr. Todd Waldo said that he is sure that the Board is familiar with the GetGo on University Boulevard. The old Texaco station is being converted into a GetGo. They have since received a building permit and construction has started. Now they are proposing a cash escrow agreement for the streetscape improvements on University Boulevard for which they have to go to PennDOT to obtain an HOP. They have started that lengthy process. Based on their location in the University Boulevard overlay district, they are required to provide streetscape improvements which include sidewalks, street trees, entry lighting, etc. These improvements will take place in PennDOT's right-of-way. He showed a site plan to illustrate the improvements. Mr. Waldo answered questions from the Board on the plan. The curb cuts will be those that currently exist and no traffic study is required. Mr. McGurk said that PennDOT has recently taken a stance on University Boulevard that regardless of the project, whether it meets the warrants or not in terms of trip generation, they are requiring a scoping meeting for all projects. The reason for this is PennDOT sees the need to eventually make some changes along University Boulevard. At some point, University Boulevard is going to need a turning lane down the center from Route 376 to the car dealerships and this required scoping meeting is required by PennDOT. The GetGo project needs approval from the Board for a sidewalk and street tree agreement in a form acceptable to the Township solicitor. A motion will be on the Board's regular meeting agenda for consideration. A brief presentation can be made at the regular meeting to inform the public of what is happening on University Boulevard. Mr. Eicher asked if a meeting could be scheduled with PennDOT because he would like to hear their logic. Mr. Waldo thanked the Board and left the meeting.

**Comcast Franchise Agreement**—Mr. Dan Cohen said that he is the attorney that has had the privilege of representing Moon Township on cable and telecommunication issues for some time, including the last Comcast franchise agreement and the more recent Verizon franchise agreement. He is presenting to the Board today a Comcast franchise renewal agreement that he has just completed. He gave a brief overview of the agreement and would answer any questions that the Board may have. He said that there are two major changes in negotiating with Comcast since the last agreement several

years ago. As the Board knows, we have moved from a monopoly cable environment to a competitive cable environment. Verizon has stopped much of their cable franchising, so Moon Township is fortunate in that they have a choice in cable providers. The second change is that there have been structural changes in Comcast since the last time. The Township receives significant franchise fees from both operators. This agreement provides maximum franchise fees. It also protects the Township from the cable operator bundling services (cable, telephone and internet) and the Township not getting as much in cable franchise fees. There is a franchise grant in this agreement as there was in the prior agreement. The agreement contains customer service standards. It contains a second channel and certain other equipment to accommodate PEG channel programming. He explained the clauses that are contained in the agreement, and he and Mr. Koefinger answered questions from the Board on details of the franchise agreement. Mr. Cohen thanked the Board and left the meeting.

**[Mr. McLaughlin left the meeting at 7:30 p.m.]**

**Parking on Bradley, Springer & Patton Drives near new Moon Area High School –** Police Chief Leo McCarthy gave a report and showed a video of students parking on both sides of Bradley, Springer and Patton Drives following the opening of the new Moon High School. Messages were put out to the high school to try to address some of the parking issues; however, the situation got worse. The video shows a Moon Township dump truck, which is being followed by the patrol car making the video, trying to get through those streets. The dump truck is narrower and shorter than a fire truck would be. The video shows the difficulty the truck was having getting through and making turns because of the cars parked on both sides. In order to make it safe for fire trucks and other emergency vehicles, the Chief immediately ordered the placement of temporary signs restricting the parking to one side only on Bradley and Springer Drives. Chief McCarthy said that these temporary no parking signs are routinely placed on these streets when there is a football game taking place at Moon High School stadium. Handouts were placed on the cars asking the students not to block the residents' mailboxes, cause ruts or tire tracks in their yards and be considerate of the residents. But the parking on one side only is being strictly adhered to, per the temporary signs. It is going to be some time before the school district is going to be able to provide the additional student parking on their campus due to the construction. However, the Chief said that his concern is the length that these temporary signs can remain and still be enforceable. When does "temporary" no longer become "temporary"? The Board may want to consider, with appropriate legal advice, some type of ordinance limiting parking to one side of the street. He does not know if the Board would have sufficient time to consider and enact such an ordinance before the end of this school year, but they may want to look at it for the upcoming school year. Ms. Creese said that this matter was discussed at the last meeting and she wanted to make sure that the Board was aware of how things were going. She also wanted the Board to see the extraordinary effort by the Police Department, in cooperation with the school district, to address this situation. She said that the Board is going to need to pass something to eliminate this temporary posting. Looking at the number of vehicles and overall situation, she cautioned the Board about passing something that is too extreme. Mr. Vitale asked about the advisability of resident permit parking. Chief McCarthy said that we have never had that in this community, but it can be explored. Ms. Creese said that if that is the action that the Board wants to take, she would recommend it be done early enough in the summer so that the school district can so notify parents and student drivers. Ms. Creese

reminded the Board that if those streets are simply posted as “no parking” it is enforceable for everyone, residents included. Mr. Eicher suggested that another option could be to restrict parking to one side between the hours of 7:00 a.m. and 4:00 p.m., Monday through Friday, on one side of the street. The temporary no parking signs could still be used when there is a football game. This way the residents are not impacted on evenings and weekends. The Board felt this was a good approach and thanked Chief McCarthy.

#### **Parks & Recreation Items:**

**Olson Park / Moon Park Phase I Opening Ceremonies** – Mr. Kasler asked the Board's desire for grand opening ceremonies. The Board felt that July 4<sup>th</sup> would be a good time for a ceremony for Moon Park. The Board may want some type of smaller ceremony for Olson Park, maybe one hour before one of their meetings—possibly in May. Mr. Kasler said that we will also be doing some other type of dedication in May prior to the rental season for the new Clearview Shelter that is now being constructed.

**Western Pennsylvania Conservancy Rain Garden Project** -- Mr. Kasler said that he was contacted by the Western Pennsylvania Conservancy. They received a grant from the DEP about putting a rain garden in Moon Township. The source of the funds is from FedEx through the DEP to the Western Pennsylvania Conservancy. It would be located in a place where there is a stormwater management problem or lack of water where we would like to see foliage. Two of the options he gave them were the entrance to Moon Park or the area between the Municipal Building and Public Safety Building. The Municipal Complex was suggested because there is a lot of pavement that was installed prior to any stormwater management regulations. These would consist of native plants that handle the stormwater and release it slowly into the ground. This could be done in conjunction with improving the area of the war and other memorials. Ms. Creese said that Charlie Belgie started a project about two years ago. There is a program where you can request a piece of the World Trade Center. An approximately 1,000-pound piece of one of the towers was given to Moon Township and Chief Belgie is working on getting a plaque. Chief Belgie's request was that it be mounted on a piece of concrete. It will be included in the Flag and Memorial Plaza out front and a dedication ceremony will be held. Plans for improvement of the landscaping there have already begun. Ms. Creese showed the Board a photograph of the piece of the World Trade Center that Moon Township will be receiving.

**Generator/Park Capital Purchase Approval** – Mr. Kasler said that he gave a memo on this capital purchase to Ms. Creese and Ms. Lapaglia updating them on some approved capital expenditures. The biggest expenditures are the park amenities (trash cans, water fountains, etc.). We did bid those out and saw some significant savings. Some of the items on which we are getting bids are on state contract. We are keeping a budget line item on the Clearview Shelter. So far they have constructed the shelter itself. The three bids on the concrete were received and reviewed. The low bid was \$3,700 and we will move forward with that. It should be ready for rentals in May.

**Planning Items:**

**Traffic-Calming Request** – Ms. Creese said that there are copies of two letters in the Board's packets. The first letter is from Roy Kraynyk with regard to family property at 206 Foxwood Road. He is requesting a stop sign be placed at the intersection of his driveway and Foxwood Road. Mr. Kraynyk contacted her at the beginning of this year asking if the Township reviewed this letter and would take action on the stop sign request. She responded to him that the Township's response to a stop sign request at a road and a driveway would be no; it does not meet the warrants that we are all familiar with. Mr. Kraynyk then asked about other traffic-calming measures and she sent him the Township's traffic-calming ordinance and procedures. In addition Mr. Kraynyk said that he would like another request brought before the Board. He is asking for something that is outlined in his February 26 letter. That request is for some type of municipal relief for his cost to relocate a telephone pole. He said that this sight distance problem is causing him to put in a driveway parking pad in front of his yard due to the fact that he cannot safely access his driveway because of this sight distance problem. We did not consider this request to be a part of traffic calming. However, he did submit it as part of the traffic calming ordinance. He did not submit a petition under the traffic calming procedures, claiming that there would be no other homes in his petition area. Mr. McGurk said that there were two original sight distance complaints prior to his letter writing. One was because of vegetation on the side of the road. If he still had an issue, he would have to cut his own shrubs back further. Mr. Meinert inspected it and Mr. Kraynyk did cut back the shrubs. Per the second issue, Jim Henkemeyer did discuss with Maronda Homes about tapering back the hillside to help improve the sight distance. That would require a grading permit. He also discussed this with the property owner who continued to press for the stop sign. Ms. Creese said that she informed Mr. Kraynyk that she has never known about a municipality paying to relocate a telephone pole or the construction of a parking pad on private property. After discussion, the Board directed Mr. Petroccia to take a look at the sight distances and curves.

**Allegheny County Letter of Support for Montour Junction** – Mr. McGurk said that the Allegheny County Department of Economic Development asked us for a letter of support for their sports/athlete field project in Coraopolis. There is a small section that is in Moon Township and Robinson Township. The DCNR Grant requires a letter of support from the municipality. The letter should indicate that the project is consistent with our comprehensive plan and our zoning, which it is. The Board had no problem with providing this letter of support.

**Kenny Ross Toyota Building Material Request** – Mr. McGurk said that the Board remembers the past discussion on Alucabond for the front of the building. There was so much focus put on that that no one looked at the sides and the back to the point that the material for the sides and the back was not labeled on the plan. They are submitting a request to use a product that is listed as an approved product for façade, subject to Board review and approval. It is a split-faced block that will be presented to the Board at their next meeting.

**2011 Comprehensive Plan Update** – Mr. McGurk said that he had an internal kick-off meeting yesterday with the consultant to talk about the schedule. He gave them some information that they could use for preliminary research to get ready. He is looking to have the first committee meeting on April 13 at 5:30 p.m. They have submitted a

contract for the solicitor's review. The one outstanding item is the transportation component of the comp plan. We put in the RFP that the Township traffic engineer would handle that work. We received a proposal from Trans Associates for \$13,000. Obviously, that was last year. Now that Kimball is the Township's traffic engineer, he asked them for a proposal. Kimball's proposal is for \$17,600. The scope is similar to what Trans proposed. He will forward it to the Board for review. The Board will need to make a decision for a selection at their next meeting. There will be a motion on the Board's regular meeting agenda.

**Finance / Audit Report** – Ms. Lapaglia said that regarding the 2009 audit, as we proceed forward with the 2010 audit, we have not completed the 2009 audit through the GASB qualifications. She has been questioned by Mark Turnley. The 2009 audit was completed in a timely fashion; it is just a matter of whether to bind that audit without completing the GASB portion. The biggest outstanding item with regard to the audit is the GASB portion of the audit. Manpower-wise, there is no way that can be achieved and that tends to be a yearly stumbling point. While that could have decreased our grade for our bond rating, that has not been the case. Our bond rating has actually moved up this year. Regardless of whether it is a requirement or not, the 2009 information is already outdated as we are now doing the 2010 audit. The biggest portion of GASB is the fixed assets. Some software is being implemented to help control and track those fixed assets. She asked if the Board would like her to direct Mark Turnley to bind the 2009 audit for the Township. Ms. Lapaglia said that the 2010 audit has started but is not completed and are questioning whether we should proceed with the GASB portion of that audit. We are not required to have the GASB portion completed because the size of our municipality, although we would like to be able to do so. We can complete the audit through a modified accrual method, which would not include the fixed assets. Ms. Creese explained what are considered fixed assets by municipalities—assets such as the road and water/sewer systems—and the difficulty in inventorying those assets by municipalities of Moon's size. She said that she agreed with the administrative decision that was made to proceed. If an appraisal company is retained to start doing an inventory of the fixed asset system, if there is no tracking system already in place the inventory quickly loses its value. We need to get an appraisal company to have the asset system updated and acquire the software to be able to track the acquisition and disposal of the assets. We are getting the software in place in the departments now in order to accomplish that. It was a goal of the Board to be up to date on the audits and she, therefore, does not want to hold up the audits. There is a list of assets from 2006. But since then, due to lack of manpower, it was not maintained. There is documentation up through last year with regard to fixed assets. But we need to get the system going and would not have to start again from “square one.” Another reason for reviewing this system to get everything back on track is insurance requirements. This was noted in our last insurance review. We need to have our replacement values updated. The newly acquired software should help tremendously with this effort. We are attempting to get this system in place for some departments that currently have no inventory system for assets, particularly Public Works. They do track assets manually but there are multiple reasons for implementing the software, such as mandates and regulations particular to that department. Tracking manually is difficult and needs to be computerized. Ms. Creese said that while it is not a top priority, it is still a goal of the Board and staff to implement a system to inventory and track the fixed assets to comply with GASB requirements. Following further discussion, the Board directed that the 2009 audit be bound and continue the effort to track the fixed assets.

Ms. Lapaglia said that she believes that we should do a first quarter financial review. At that point, she would anticipate that the 2010 audit would be complete. She asked the Board when they would like to do this financial review. The Board decided to meet on April 14 at 6:00 p.m. for the first quarter budget review and police pension review.

Ms. Lapaglia said that she knows there has been some concern by the Board on capital expenditures. She came up with a solution that she feels will work. At future workshop meetings, she will submit to the Board a listing of capital projects' items that we intend to pay, the project it pertains to, whether it was budgeted or not budgeted and the dollar amount. The expenditures can then be reviewed by the Board prior to the televised meeting where the bills are approved. She told the Board verbally which capital expenditures are planned for their approval at the next televised meeting. These expenditures were budgeted.

**Marcellus Shale** – Ms. Creese said that the Board received in their recent packet a large amount of information on this subject. She asked if the Board had any questions or wanted additional information. At this point, there are volumes of information available on various web sites. She is making arrangements for a site tour for the Board through Atlas Energy, which was recently acquired by Chevron. Mr. Eicher said that he went through the packet of information. Moon Township certainly has the worst ordinance of any that Ms. Creese provided. The sample ordinance provided by PSATS is a good ordinance. He feels that Moon Township should get started on revising its ordinance. There are not a great many municipalities that have such ordinances at this time. A discussion ensued on the differences in the ordinances. Ms. Creese said that if the Board reads some of the other ordinances, they specifically address Marcellus shale. Moon Township's zoning ordinance addresses some of the things (such as noise or lighting) that are addressed in the other Marcellus shale ordinances. Mr. Eicher said that he believes that we should have a Marcellus shale ordinance. Mr. Lucas said that whatever the Board does, it needs to be more comprehensive than strictly Marcellus shale as there are other layers of shale and/or oil and gas. The Board can designate certain zoning districts where the drilling can take place. The Board cannot get into how the drilling is done or the technology of the drilling. That is the DEP's domain under the Oil and Gas Act. Ms. Creese said that the Board expressed an interest in inviting a speaker to come to a Board meeting. DEP has speakers available if they are still interested. The Board felt that they wanted to get started on this effort to revise the ordinance, and that this matter is a priority.

Mr. McGurk said that the Board is going to need special counsel on this. Mr. Sinatra said that he feels that the Planning Commission should take the lead on this before it comes to the Board of Supervisors. The Board agreed and also directed staff to look at possible names for special counsel. They also felt they would like this project started as soon as possible and not be a part of the comprehensive plan, as that process is lengthy.

**2011 Goals and Objectives** – Ms. Creese said that in the Board's packets will be a hard copy of a survey form for them to fill out. She will also send it to them electronically. The form to define their goals and objectives is going to look different than it has in the past. It will be in the form of a table or matrix divided by function. She explained how the Board is to complete their form. The form does already contain some examples of

planned projects. But it still allows for Board input on their goals, tasks and discussion of same.

**Board Schedule / Meetings** –Ms. Creese reminded the Board that the SHACOG meeting is April 28, 2011 and to let her know who will be attending.

**Township Regular Meeting Agenda Items** –Ms. Creese said that the Board will be recognizing three Eagle Scout candidates at their April 6, 2011 regular meeting.

There will also be two MCA-TV items on the regular meeting agenda. Jim Koepfing gave the Board his recommendation to award the bid to Lerro Corporation for the Telex wireless headset system. The cost will be \$15,549. It is in the capital budget. He said in order to complete the changeover of the production trailer this year, retrofit the trailer and have it ready for the fall sports season, he requested that the Board authorize advertisement for bids for a new trailer at the upcoming regular meeting on Wednesday. The Board had no problem with that. He would like to unveil the new production trailer as part of the September meeting.

Mr. Koepfing said that because of the need for adoption of an ordinance for the Comcast cable franchise agreement, it is an FCC requirement that public comment be taken on the franchise agreement.

Ms. Creese said that from 5:00 to 6:00 p.m. prior to next month's workshop meeting, PennDOT will be doing a public presentation of the Flaugherty Run Road bridge replacement project. They will also be in attendance at the workshop meeting to answer questions from the Board. An announcement will be on the April regular meeting agenda.

#### **Township Engineer:**

**2011 Road Program** – Mr. Petroccia said that he wanted to mention the 2010 road program. He drove down Becks Run Road. John Scott, with his upgrades to the stormwater system, improved the inlets and drainage on Becks Run before Youngblood did the paving. It turned out very nice. All the contract documents for the 2011 road program have been signed. John Scott said that he has three roads on which he would like to get started in April. We will get started as early as possible and try to keep it within budget.

**Autumn Woods Update** – Mr. Petroccia said that Garvin Boward submitted comments on the most recent version of the remediation plan that Kimball submitted. They say that we have to have a motion to accept the lower factor of safety for slope stability from 1.5 to 1.3. He cites several references for landslide-prone areas that 1.3 factor of safety is generally acceptable because previously it was less than 1.0 or it wouldn't have been a landslide-prone area. So they are significantly improving the pre-existing condition. Mr. Boward feels comfortable with what Kimball is doing there and his expectation is that Kimball will be cooperating with those comments. In another 30 to 60 days they will be ready to go.

**Foxwood Knolls** – Mr. Petroccia said that he has had numerous interactions with the Foxwood Knolls developer. Their contractor went ahead and did what their geotechnical

engineer suggested without any oversight or inspections by the Township Engineer or Township Public Works Department. They were told not to do that but they did it anyway. We have told them we need documentation of what was done for review and approval. He received an email from their financial security company asking for a status report and he told them why we are not releasing any of their bond money. He will follow up on the question about the curve in the road causing a safety hazard.

**PennDOT Changes to Stormwater Policy** – Mr. Petroccia said that he intended to follow up with some of the municipalities that were negotiating agreements with developers but has not had a chance to do so. Mr. McGurk said that he sent an email and had a brief conversation with Representative Mustio and Senator Pippy and their staffs. He has not heard back yet but will follow up on this matter. We also received a letter from a developer saying they have concerns with how long this is taking. We haven't withheld building permits due to the lack of an HOP. Since all the other requirements have been met, we are not holding up the developers hoping that this will be resolved before they need an occupancy permit.

**Beaver Grade and Thorn Run Road Intersection** – Mr. Petroccia said that the Township received the HOP mylar for signature. The HOP should be issued shortly once they receive the mylar. On that basis, he has started putting together the bid documents. He has asked Trans Associates for their plans and technical specifications to include in the bid documents. It will likely be another month or so before we are ready to bid this work.

**Mooncrest Sidewalks** – Mr. Petroccia said that the most active part now is the part for which we have SHACOG money. John Varrati Concrete was going to start this week but has to wait for the weather to improve. He is doing the side of the road opposite the Community Center on Hemlock Drive from the remodeled units to short Cedar. The little piece to Delaware would be a \$5,000 change order because it has several ADA ramps. Because Varrati's unit rates are cheaper than USA Concrete's, we dropped that piece of short Cedar from USA Concrete. For John Varrati to do the work would cost about \$38,000 with the ADA ramps. It would be more than that with USA Concrete. He is recommending that we get that piece done so that all of the southern part of Mooncrest is completed. Oak and Juniper are the two that will remain undone. If we can get the one piece of short Cedar done by John Varrati for \$38,000 then there is enough contract money for USA Concrete to finish all the rest of Hemlock. It is his recommendation to the Supervisors that it is worth \$38,000 to get that block done by John Varrati while he is up there. The original \$38,000 funding comes from a CDBG grant through the SHACOG. The USA Concrete portion comes from the road program.

**Mooncrest Recreation Center Roofing** – Mr. Petroccia said that this is another SHACOG CDBG grant. Sapp Roofing won that contract. They dropped off to him several brochures showing different types of roofing and showed the roofing that was selected. He will check the technical specifications of those to see that they meet our technical specifications. He was going to start the work in April but is having the same problem as John Varrati with the inclement weather.

**Police Department Carport Enclosure** – Mr. Petroccia said that Chief McCarthy and Captain Seamon asked him to look at the carport and see how much it would cost to enclose it to make it a two-car garage with overhead doors and an evidence room. He

put together a sketch. Ms. Creese said that this is not a budgeted project in the either the capital or any budget. But in attempting to develop the bond issue budget or next year's capital budget, the department had to come up with a square footage cost for this project. We needed engineering to assist with that. Mr. Petroccia said that he came up with a figure of \$60,000 to do that work.

Mr. Petroccia said that there will be several bond reductions on the Board's regular meeting agenda. The first bond reduction request is from Moon Flight Car Wash. He was asked by the owner to see much work the contractor had done. The outstanding balance prior to his inspection was \$119,060 for the bond. After the inspection he is recommending a reduction of \$27,005 to \$92,055. They have completed all of the erosion and sedimentation control measures, storm pipe and structures. They are coming back to the Township for a little bit of money at a time. The other bond reduction request is from Crosswinds. This developer was told by Lennon Smith & Souleret back in 2008 or 2007 that they had a stormwater pond that did not meet their original design and were not going to get any further reductions until they got their stormwater pond fixed. We have been holding money for a long time but they did get their asphalt and sidewalks in. In Plan I, they are down to two stop signs and working out where a future sidewalk will go. Once that is done the bond can be released and they will have a zero balance. In Plan II, Phases 2 and 3, they have completed 97 percent of the sidewalks. There are three trees that need to be planted in the front yards, the corner monuments need to be put in and there are five broken sections of stormwater pipe that need to be fixed. He has recommended that bond be reduced from \$90,000 to \$9,000. Plan II, Phase 4, is the location for the stormwater basin. They have completed the whole plan (except for setting some corner monuments) but the stormwater basin work has not been done. Therefore, he is recommending that the \$53,555 current balance be kept at \$38,500. There is probably no more than \$20,000 of that needs to be put into the stormwater basin, but he is holding back more because he wants them to get it done. Mr. Eicher said there were supposed to be four stop signs on Becks Run Road by Autumn Woods and Crosswinds, which were offsetting intersections. He asked the status of those stop signs. Mr. Petroccia said that he wrote a letter to Mr. Chickini who was to put in those stop signs as part of the Autumn Woods development and has not yet done so. He would check into it further.

Following the regular workshop meeting, the Board went into executive session at 10:00 p.m. to discuss matters of litigation and personnel issues.

Respectfully submitted,

Janet L. Sieracki  
Assistant Municipal Secretary