

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. Vitale, Mr. Sinatra, Mr. Eicher and Mr. Gribben.

Mr. McLaughlin said that prior to this evening's public discussion, he would like to address recent questions and concerns regarding Moon Township's Field Use Policy, including a formal complaint received from the Moon Area Soccer Association. At the March 31, 2010 public workshop meeting, the Moon Supervisors approved a policy to create a master schedule for the use of public recreation fields owned by Moon Township. The policy applies to the volunteer and professional recreation organizations – including soccer, baseball and lacrosse teams – that wish to use the fields. The Township does not manage these organizations. Shortly after the policy was adopted, Moon Township received several reports, including a formal complaint from the Moon Area Soccer Association, that an organization had violated the Field Use Policy after receiving verbal permission from a Township Supervisor. In response to the complaints, this Board convened an executive session on Tuesday, May 18, 2010 to investigate. The board investigation reviewed the actions of the Parks and Recreation Department in administering the current policy and concluded that no Township personnel violated Township policy. The board investigation reviewed information provided by Moon Supervisor Frank Sinatra and recommended that he issue a public statement to explain his actions. The Board also concluded that the current Field Use Policy was clear and effective as adopted by the Board. The policy also was clear in granting authority to the Parks and Recreation Director, not the Board or any individual Supervisor, to schedule field use. Finally, the Board directed further review of the policy. The Board would like to assure all residents, parents, coaches and participants in youth and organized athletics that the current Field Use Policy has been openly discussed and adopted in public meetings. Both the Parks and Recreation Department and the Parks and Recreation Advisory Board met with field user groups to obtain feedback on this policy prior to its adoption. All future Board discussion concerning the use of public recreation facilities will occur in public meetings as well. Several members of this Board are coaches or parents of present or former athletes, and we all understand the importance of working together as volunteers. We also understand the importance of transparency in local government and in the public's trust. Thank you.

PUBLIC COMMENTS ON AGENDA ACTION ITEMS:

(There were none.)

APPROVAL OF MINUTES:

Action Item—Approval of the minutes of the Workshop Meeting of April 28, Regular Meeting of May 5, and Special Meeting of April 20, 2010, which were distributed to the Board of Supervisors for their approval. Motion made by Mr. Sinatra, seconded by Mr. Gribben. All Supervisors voting yes, 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. **Proclamation** – Mr. Gribben read a proclamation recognizing the Moon Area School District elementary school students Odyssey of the Mind team.
- B. **Proclamation** – Mr. McLaughlin read a proclamation recognizing Mrs. Gloria Krall on her retirement from 30 years as a Moon Township business owner.
- C. Mr. McLaughlin advised citizens that the Moon Township Environmental Advisory Council will hold Moon Township's Annual Recycling Day on Saturday, June 5, 2010 from 8:00 a.m. to 1:00 p.m. at the Moon Township Municipal Building parking lot. Appliances, electronics, tires and reusable construction material will be accepted for recycling. The program is open to Moon Township residents only and proof of residency is required.
- D. Mr. McLaughlin said that the Moon Township Parks & Recreation Department will soon begin their summer programs and activities. Events include summer day camps, Family Fun Night with movies and concerts in the park, and Father's Day Fun Fair. For a complete schedule of summer activities or to register for any programs, call the Park Office at 412-262-1703 or check the Parks & Recreation Department web site at www.moonparks.org.
- E. Mr. McLaughlin said to please join Moon Parks & Recreation for the 2nd Annual 5K Run/Walk on Saturday July 3, 2010. The event starts at 9:00 a.m. and will begin at Greater Pittsburgh Orthopedic Associates Office, our platinum sponsor. Registration information can be obtained on the Moon Park Website at www.moonparks.org or by calling the Park Office at 412-262-1703.
- F. Mr. McLaughlin announced that the Moon Township Annual Independence Day Celebration with special thanks to Clearview Federal Credit Union will be on Sunday, July 4th with activities beginning at 4:00 p.m. for the kids and the stage show beginning at 6 p.m. This year will feature National Recording Act and No.1 Country Duo, Steele Magnolia and Moon's own Sarah Marince followed by fireworks from Zambelli Internationale at dark. For more information, visit the Moon Parks website at www.moonparks.org.
- G. Mr. McLaughlin said that Moon Township would like to thank Bartlett Tree Service and Parks Advisory Board member Gary Adams for the donation of the new tree in front of the Municipal Building.

NEW BUSINESS:

- A. **Action Item** – Mr. McLaughlin recognized representatives from Robert Morris University who made a presentation on their development plan. Mr. Bill Joyce of RMU said that one of the University's objectives is to give more students a university experience with an opportunity to live on campus. The number of applications from students desiring to live on campus has increased. The plan being presented to the Board is to construct a new apartment-type residence hall. This new hall is a slight variation on the apartment-style residence hall that has already been built called Concord I. Keith Gindlesperger showed photographs of the existing building. The new building will look essentially the same. He gave details of the project and the number of occupants. Regarding the parking as required in the ordinance, Mr. Gindlesperger said that they are installing four new handicapped-accessible parking stalls and six standard parking stalls. The ordinance requirement for this would be 92 parking stalls. However, with the recently constructed 450-stall parking lot that the university has constructed, there is still a surplus of parking on the campus. They have addressed all of the Township Engineer's comments at this point. Mr. Eicher asked Mr. Petroccia if he is comfortable with the stormwater management plan. Mr. Petroccia said that he is. He reviewed the plan and the calculations. All of the issues have been addressed. Mr. Eicher said that another larger problem associated with the university is parking. Mr. Gindlesperger has given an explanation that they have surplus parking already on the university campus and, therefore, did not include additional parking spaces for this building. In the past, the Board has often heard concerns from residents who live on the back side of the university about parking in the neighborhood streets. He asked for comments to try to address these concerns. Mr. Gindlesperger said that prior to construction of Concord I the university contracted to have a parking needs analysis done for the entire campus. At that time, it was determined that on-campus parking was at its maximum capacity. Two years ago there was a 450-spaces parking lot constructed since that parking needs analysis was done four years ago. An updated version of the parking space computation summary that was provided when the business school was constructed has been provided for this project. Mr. Joyce said that one of the university's objective is to create a loop road around the university campus and push as much of the parking to the perimeter as possible. That will allow the university to pedestrianize the internal part of the campus. The new lot just referred to is on the opposite side of the campus from Amherst Acres. This will hopefully encourage people to enter the campus via its "front door." The new residence hall is being clustered with the other residence halls on the opposite side from Amherst Acres. This should hopefully take some pressure off that back entrance. Mr. McGurk said that a university campus in the Township is a unique situation. In this case, with every project they have proposed, we have allowed them to tap into this parking surplus. The university does have a master plan that has been submitted to the Township and reviewed by the Board. We have generally concurred with the findings of the master plan. Mr. McLaughlin asked if the university had any plans to create additional parking on the Amherst Acres side of the campus. Mr. Joyce said that there are no plans at the moment to introduce additional parking. Mr. McLaughlin said that Robert Morris is a first-class facility and an asset to Moon Township. Mr. Joyce said that he appreciates hearing that and they want to be a good neighbor as well. Mr. McLaughlin called for a motion to approve/deny the combined preliminary/final major land development plan for the Robert Morris University Concord Hall II, subject to the Township Planning Department's review letter dated May 4, 2010 as recommended by

the Planning Commission. Motion to approve made by Mr. Sinatra, seconded by Mr. Eicher. All Supervisors voting yes, motion carried.

B. **Public Hearing** – 937 Beaver Grade Road: Massage Therapy Establishment

Mr. McLaughlin opened the public hearing for 937 Beaver Grade Road for a massage therapy establishment. Those wishing to give public testimony were sworn in by the court reporter. Applicant Aaron Cygnarowicz gave a presentation on his application to open a massage therapy establishment at 937 Beaver Grade Road. He listed his certifications in professional organizations and listed his proposed hours of operation. Following the presentation and questions from the Board, Mr. McLaughlin asked for comments from the public. (There were none.) 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.

C. **Action Item** – Mr. McLaughlin called for a motion to approve/deny the conditional use request for the Kneaded Tranquility Massage Therapy Establishment, subject to the Township Planning Department's review letter dated May 17, 2010 as recommended by the Planning Commission. Motion to approve made by Mr. Vitale, seconded by Mr. Sinatra. All Supervisors voting yes, motion carried.

D. **Public Hearing** – 8900 University Boulevard: Kenny Ross Toyota Dealership Deviations

Mr. McLaughlin opened the public hearing for 8900 University Boulevard for the Kenny Ross Toyota Dealership. The Board and those wishing to give public testimony were already sworn in from the previous public hearing. Mr. Jonathan Kamin, representing Kenny Ross Toyota, made a presentation on the deviation requests. He introduced Pat Cooper of Gateway Engineers, civil engineer for the project, who described details of the plan. Mr. Cooper and Mr. Kamin answered questions from the Board. Following the presentation and questions from the Board, Mr. McLaughlin asked for comments from the public. (There were none.) 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.

E. **Action Item** – Mr. McLaughlin called for a motion to approve/deny the conditional use application for the Kenny Ross Toyota Dealership as submitted, which would increase the front yard setback beyond the 85 foot maximum front yard setback, subject to the Township Planning Department's review letter dated May 12, 2010 as recommended by the Planning Commission. Mr. McLaughlin asked Mr. McGurk if the distance of the front yard setback needs to be stated in this motion. Mr. McGurk said that the distance is specified in the Planning Department's review letter. Motion to approve made by Mr. Vitale, seconded by Sinatra. All Supervisors voting yes, motion carried.

F. **Action Item** – Mr. McLaughlin called for a motion to approve/deny the conditional use application for the Kenny Ross Toyota Dealership as submitted, which would reduce the required 10' buffer yard along the northern property line, subject to the Township Planning Department's review letter dated May 12, 2010 as recommended by the Planning Commission. Motion to approve made by Mr. Sinatra, seconded by Mr. Vitale. All Supervisors voting yes, motion carried.

- G. **Action Item** – Mr. McLaughlin called for a motion to approve/deny the supplemental scope and price for the revised traffic signal permit at Beaver Grade Road and Thorn Run Road as submitted by Trans Associates on April 15, 2010 for an additional \$3,304.97. Motion to approve made by Mr. Sinatra, seconded by Mr. Eicher. Mr. McLaughlin asked Mr. McGurk to give some details on this motion. Mr. McGurk said that as the Board recalls, they asked Trans Associates to investigate whether the left turn arrows can be turned on at the intersection of Beaver Grade Road and Thorn Run Road. The initial study concluded that the left turn arrows were not warranted for all phases. However, after some discussions with PennDOT, Trans Associates was able to provide the data to justify all four left turn arrows. That additional data was extra work and not included in the initial scope. It also includes the emergency vehicle preemption being added to all four sides of the light. It also included coordination of the highway occupancy permit. The traffic engineer was coordinating the signal permit and the Township engineer was working on the sidewalk plan. Those two things did need to be brought together for a highway occupancy permit. Mr. Eicher said that he heard from many residents about why there were no left turn arrows. He thinks these left turn arrows will be a good idea. Mr. McGurk said that it will be a permanent change to the signal plan. All Supervisors voting yes, motion carried.
- H. **Action Item** – Mr. McLaughlin called for a motion to appoint Marvin Eicher to serve as Moon Township's representative to the Allegheny County Association of Township Officials. Motion made by Mr. Gribben, seconded by Mr. Sinatra. All Supervisors voting yes, motion carried.
- I. **Action Item** – Mr. McLaughlin called for a motion to adopt Resolution R-14-2010 authorizing the Township of Moon to request the Economic Development Department of Allegheny County review or amend the Community Development Block Grant contract for the Mooncrest Homeownership Project to allow for the sale of 149-151 Delaware Drive to the Felician Sisters. Motion made by Mr. Vitale, seconded by Mr. Eicher. Mr. McLaughlin asked Ms. Creese to give some details on this resolution. Ms. Creese read a section of the resolution that would provide some clarity to this action. In November 2009 Action Housing, who is managing these properties for the County, contacted the Township to advise us that the Felician Sisters are interested in making an offer to purchase two of the 2-bedroom units located at 149-151 Delaware Drive. However, there was some question as to whether the Felician Sisters' purchase of these units would meet the definition of home ownership. The Township zoning office reviewed this and agreed that three Sisters living in one of these units meets the definition of residential home ownership and meets the qualification of being a family unit. We are passing this resolution to advise the County that it does meet our current residential standards and asking that they review or amend the Community Development Grant application and allow for the sale of these two units to the Felician Sisters. Mr. Eicher said that he thinks that the Felician Sisters have done an outstanding job for the community in Mooncrest. They operate the after-school program which has grown to the point where they are now expanding the building to handle the program. We have Sisters who are willing to move there and make Mooncrest their home. He thinks this is nothing but positive for this area and for Moon Township. He will be supporting this and thanks the Sisters for all they have done. Mr. McLaughlin said that he thinks everyone knows how he feels and what the Sisters mean to the children of Mooncrest as well as the efforts of our Police Department there. He is glad that we can work with an organization that is trying to help the children better themselves. All Supervisors voting yes, motion carried.

- J. **Action Item** – Mr. McLaughlin called for a motion to award the bid for Moon Park tennis court sealing to Penn Ohio Sealing Co. for \$9,250.00 as recommended by the Township Engineer in his letter dated May 26, 2010. Motion made by Mr. Eicher, seconded by Mr. Sinatra. Mr. McLaughlin asked Mr. Petroccia the timeframe for this work. Mr. Petroccia said that the bid requires that the work commence within 30 days of the notice to proceed and complete the work within 60 days of the notice to proceed. The tennis courts will be out of operation for about a week while the work is being done. All Supervisors voting yes, motion carried.
- K. **Action Item** – Mr. McLaughlin called for a motion to award the bid for the emergency generator with optional items for the Public Safety Building to Cummins for \$27,961.64 as recommended by the Township Engineer. Motion made by Mr. Vitale, seconded by Mr. Sinatra. Mr. McLaughlin asked Mr. Petroccia to give some detail on this motion. Mr. Petroccia said that Chief Belgie had requested an emergency generator that can power the entire Public Safety Building plus some amount of future expansion. He provided specifications for that equipment, which Chief Belgie took to the State. He obtained three good bids and this is the best bid, which he is recommending. He reviewed the bid and obtained additional information as requested. All Supervisors voting yes, motion carried.

MOTION TO PAY THE BILLS:

Mr. McLaughlin called for a motion to pay the bills [**check no. 5826, and 6018 through check no. 6217, EFTs, Capital Reserve check no. 1111 through check no. 1129, and Liquid Fuels check no. 1003**]. Motion made by Mr. Vitale, seconded by Mr. Eicher. Mr. McLaughlin called for a roll call vote. Yes votes were cast by Mr. Eicher, Mr. Gribben, Mr. Vitale and Mr. Sinatra. Mr. McLaughlin voted yes, with the exception of check no. 5826 to Campbell, Durrant and Beatty. Motion carried.

COMMENTS FROM THE AUDIENCE: (There were none.)

REMARKS FROM THE SUPERVISORS:

Mr. Gribben had no comments.

Mr. Vitale had no comments.

Mr. Eicher had no comments.

Mr. Sinatra had no comments.

Mr. McLaughlin said that at the Board's workshop meeting, traffic was discussed. He voiced his concern about the Beaver Grade Road/Montour Run Road intersection. He knows that we have money set aside from developers for traffic improvements. He would like to ask the Board if we could open discussions with Robinson Township and PennDOT to move forward with some type of signalization at that intersection for the safety of the community. He feels it is long overdue and asked Chief McCarthy to comment. Chief McCarthy said that he concurs that it is long overdue. It is extremely difficult if you are on Montour Run Road trying to make a left turn onto Beaver Grade Road. It is also difficult to make a left turn from Beaver Grade Road onto Montour Run Road. There have been some vehicle accidents there, which are investigated by the

Robinson Township police as the intersection is in Robinson Township. However, it does affect both of our communities. Mr. McLaughlin said that he feels it is something we need to look into as we are committed to safety in our community. Mr. McGurk said that last summer we met with Robinson Township staff to talk about the possibility of doing a feasibility study and have a traffic engineer investigate the intersection and give an estimate of what signals would cost there. At this point, we do not know if it just signals or if it would require road widening and/or turning lanes as well. These are the kinds of questions we need to ask of a traffic engineer. We have approached Robinson about partnering for this work. We can certainly contact them again. Mr. McLaughlin said that he would like to again open discussions with Robinson Township on this to move forward as it is something we need to take care of. He asked that this matter be put on the agenda for the Board's next workshop meeting. He urged residents to please drive carefully and abide by the speed laws.

There being no further business before the Board, the meeting adjourned at 8:21 p.m.

Respectfully submitted,

Janet L. Sieracki
Assistant Municipal Secretary

