

## **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. Eicher, Mr. Vitale, and Mr. Sinatra.

### **PUBLIC COMMENTS ON AGENDA ACTION:**

(There were none.)

### **APPROVAL OF MINUTES:**

**Action Item**—Approval of the minutes of the Special Meeting of August 11, Workshop Meeting of September 30, Regular Meeting of October 7, and Budget Meeting of October 14, 2009, which were distributed to the Board of Supervisors for their approval. Motion made by Mr. Sinatra, seconded by Mr. Vitale. All Supervisors present voting yes, motion carried 4-0.

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

- |  |                                   |
|--|-----------------------------------|
| a. Animal Control                        | j. 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. Environmental Advisory Council        | n. Parks & Recreation Dept.       |
| f. Fire Department                       | o. Planning Commission            |
| g. H.A.R.B. Board                        | p. Police Department              |
| h. Local Services Tax                    | q. Road Department                |
| i. Moon Industrial Development Authority | r. Valley Ambulance Authority     |
|  | s. List of bills to be paid       |

Mr. McLaughlin said that he would like to make note that the Tarquinio property rezoning hearing that was scheduled for this evening has been cancelled. If anyone is here for that specific reason, it has been cancelled. The rezoning hearing for the property at 1521 Coraopolis Heights Road will be readvertised for a later date and public notices will be resent to all parties involved. He said that he does not anticipate this until after the first of next year.

### **ANNOUNCEMENTS:**

- A. Mr. McLaughlin recognized Robert Morris University President Dr. Gregory G. Dell'Omo. Dr. Dell'Omo gave a Power Point presentation that detailed some of the changing demographics of the Robert Morris University campus. He talked about the exciting things happening at the university citing some of the campus improvements, community services provided by their students, academic and sports accomplishments, etc. Following the presentation, Dr. Dell'Omo thanked the Board and left the meeting.

- B. Mr. McLaughlin gave an update on the Sharon Road traffic calming. He said that he wanted to give the public information about the traffic calming devices on Sharon Road. The Sharon Road neighborhood is the first neighborhood to participate in this process and be approved for traffic calming devices. He explained that he wanted the public to understand the entire process, including the evaluation which will take place in the spring. He gave some background information on the Traffic Management Program adopted by the Board of Supervisors and the procedures that neighborhoods must follow in order to request consideration for traffic calming devices in their neighborhood. The process includes input from management, residents, police, fire, EMS, and public works. The Board of Supervisors took several factors into consideration, the most important of which was the safety of Township residents. We ask that residents and travelers use caution when driving through the neighborhood and drive at the posted speed limit and not drive through yards to avoid the speed humps. In the spring, our Traffic Engineer will re-evaluate the effectiveness of these devices. At that time, the speed humps can be removed, modified or made permanent. The Board would like to thank the residents for their patience as we work through this project.
- C. Mr. McLaughlin recognized Moon Township Police Officer Doug Ogden. He asked Chief McCarthy to speak about Officer Ogden's accomplishment. Chief McCarthy said that he received a letter from the PA D.U.I. Association. The PA D.U.I. Association, a private, non-profit organization dedicated to highway safety, has developed a "D.U.I. Top Gun" award to recognize and thank police officers for their work in reducing the threat of impaired drivers on our roadways. Only officers who have apprehended over 50 drunk drivers and engage in multiple education programs with youth groups are eligible. He was pleased to receive the letter from the PA D.U.I. Association that Officer Ogden had been selected for that award. As part of that award, the association gave him a new pre-arrest breath testing device. This device is valued at over \$550.00. Officer Ogden coordinates and runs the West Hills D.U.I. Task Force in this area. Mr. McLaughlin said that the Board is proud of Officer Ogden as well as all the officers in the Moon Township police department.
- D. Mr. McLaughlin advised citizens that curbside leaf pick-up will be held on the following Saturdays: November 7, November 21 and December 5. The leaf waste drop-off site at Downes Fire Station will be open on Saturdays and Sundays through December 6. The site will open at 9:00 a.m. and close at 5:00 p.m. In addition to leaves, residents may also bring brush to the site to be chipped by the Road Department.
- E. Mr. McLaughlin advised citizens that the Moon Township Road Department will again be picking up brush at curbside during the month of November, concluding on November 25, 2009. Pick-up dates will follow residents' garbage schedule. There will be no pick-up on November 11, 26 and 27, because of Veteran's Day and Thanksgiving, respectively.
- F. Mr. McLaughlin advised citizens that due to the current construction project at Moon Park, residents may experience periodic closures of the park to ensure the safety of our park visitors. Visit the Moon Parks website at [www.moonparks.org](http://www.moonparks.org) or call the office at 412-262-1703 for park status.

Mr. McLaughlin asked Dana Kasler for an update on the progress of the work at Moon Park. Mr. Kasler said that the weather dictates the amount of work that can be done. All the material is there for the baseball field fencing. The posts are in. That should be followed by the tennis courts, depending on the weather. The Parks Advisory Board will be meeting with the Board of Supervisors on Monday. The contractor is making good progress. Mr. Petroccia thanked the Board for voting to approve the funds to pave the tennis courts parking lot. That will be a big help in the spring. The walking trail and sewer line laterals will be worked on over the winter by the Township staff. The sewer line lateral work will dictate the park closures to insure the safety of our park visitors. The web site will contain information on whether the park is open or closed.

**NEW BUSINESS:**

- A. **Action Item** – Mr. McLaughlin called for a motion authorizing Trans Associates to conduct a traffic signal phasing review at the intersection of University Boulevard and the Robert Morris University driveway at a cost not to exceed \$1,300 and enter into a cost-sharing agreement with Robert Morris University. Motion made by Mr. Sinatra, seconded by Mr. Eicher. Mr. McLaughlin asked Mr. McGurk to comment on this motion. Mr. McGurk said that the Township and Robert Morris University will partner to have the Township Traffic Engineer study the need for a left arrow coming up University Boulevard and turning left into the Robert Morris University campus. It is very similar to the study that was done of the Beaver Grade Road/Thorn Run Road intersection. The cost will be split 50/50. All Supervisors present voting yes, motion carried 4-0.
- B. **Action Item** – Mr. McLaughlin called for a motion to adopt Resolution R-19-2009 under Section 147(f) of the Internal Revenue Code as requested and recommended by the Moon Industrial Development Authority for the Civic Light Opera Association. Motion made by Mr. Vitale, seconded by Mr. Sinatra. Mr. McLaughlin asked Ms. Creese for an update and why we are involved in the Civic Light Opera. Ms. Creese said that it is an indirect involvement. The Board of Supervisors is involved with the Moon Industrial Development Authority as they appoint MIDA's board members. MIDA is involved in this project as it benefits their borrower. The Board is only approving this resolution as the appointing authority. The Township has no direct involvement in this particular project. All Supervisors present voting yes, motion carried 4-0.
- C. **Action Item** – Mr. McLaughlin called for a motion to approve the labor agreement between Moon Township and the Construction, General Laborers and Material Handlers No. 1058, for the contract period July 1, 2009 through June 30, 2014. Motion made by Mr. Sinatra, seconded by Mr. Vitale. All Supervisors voting yes, motion carried 4-0.
- D. Mr. McLaughlin said that he would like to make a motion to table the next agenda item until the Board's Workshop Meeting next week to approve a 5-year equipment lease and maintenance agreement for multi-function copiers for the Moon Township Administrative, Finance, Police, Parks and MCA-TV offices with ComDoc as outlined in their proposal dated October 26, 2009. Mr. Sinatra said that he would like to second that motion. Mr. Eicher asked the Manager if it is correct that the contract for the existing copiers was up at the end of October. Ms. Creese said that the lease for five copiers was up October 30 and the lease on two other copiers would be up shortly. We received proposals using State contract to replace those copiers from a variety of local vendors. We reviewed those by committee and made a recommendation to the Board at the Workshop meeting

earlier in the month to award this to ComDoc. Mr. Eicher said that he reviewed the two proposals—one from Ford Business Machines and one from ComDoc. The staff, including department heads, has reviewed this. The Board has had a recommendation in its hands for more than a week for review with the goal of taking action tonight. He is surmising this is being put on hold so that Mr. Sinatra can visit ComDoc to look at the equipment and make an evaluation. Mr. Sinatra said that he scheduled an appointment for the Board with ComDoc for the following day and he is the only Supervisor that is going. It is not personal; all Supervisors can attend. His experience is in copier purchasing. He just wants to make sure that the Township is getting the best deal possible. This came up rather quickly. With such a large purchase and we as Supervisors are responsible for the money being spent, just a personal feeling, a “warm and fuzzy” agreement with ComDoc, he would like to see a demonstration of their machines since we are purchasing such a large amount of machinery. Mr. Eicher said that under these circumstances, Mr. Sinatra will then come back and report to the Board his findings in order for the Board to take action at the upcoming budget meeting. This is on State contract and these vendors have all bid to certain specifications. So we do not have the latitude to re-spec equipment. Mr. Sinatra will simply be looking at the equipment and make some determination whether that equipment meets Moon Township’s standards. Ms. Creese said that in order to clarify for the Board and the residents, the Township Manager and the administrative staff accepted proposals from State contract. We did prepare a recommendation for the Board, based on price, per the lease and per-copy charge. We also looked at items like maintenance and other features. There is nothing in her recommendation that had anything to do with a “warm and fuzzy” item relating to the copiers. She wanted to assure the Board that we did a thorough evaluation by a committee made up of herself and the end users. Mr. Eicher said that he has raised the issue because he sees a conflict here and believes that the staff has done their due diligence. Mr. McLaughlin said that all we are asking for is a week in order for Mr. Sinatra to go out and look at the equipment. Mr. Sinatra said that he respects Mr. Eicher’s opinion when it comes to engineering. He hopes to be afforded the same courtesy. Mr. McLaughlin called for a roll call vote. Yes votes were cast by Mr. Sinatra, Mr. Vitale and Mr. McLaughlin. Mr. Eicher voted no. Motion carried.

- E. **Action Item** – Mr. McLaughlin called for a motion to pay former Township Manager Gregory G. Smith for accumulated sick days in the amount of \$13,212.00 and unused vacation in the amount of \$20,258.40 as recommended by the Township Solicitor in his letter dated September 17, 2009. Motion made by Mr. Vitale, seconded by Mr. Sinatra. All Supervisors present voting yes, motion carried 4-0.

#### **UNFINISHED BUSINESS:**

- A. **Action Item** – Mr. McLaughlin called for a motion to approve Payment Application No. 1 for the 2009 Road Program to Youngblood Paving, Inc. in the amount of \$803,508.09 as recommended by the Township Engineer in his letter dated October 16, 2009. Motion made by Mr. Eicher, seconded by Mr. Vitale. Mr. McLaughlin asked Mr. Petroccia if he was happy with the paving program this year. Mr. Petroccia said that he was. Mr. McLaughlin asked Mr. Henkemeyer if he was also happy with the paving program. Mr. Henkemeyer said that he, too, was happy with the program and the contractor. Everything went well. We are holding a small retainage for some punch list items; but the final payment should soon be presented to the Board for approval. All Supervisors present voting yes, motion carried 4-0.

- B. **Action Item** – Mr. McLaughlin called for a motion authorizing Change Order No. 3 to the Moon Park – Phase I Construction Improvement Project in the amount of \$49,084.84 as recommended by the Township Engineer in his letter dated October 23, 2009. Motion made by Mr. Sinatra, seconded by Mr. Eicher. Mr. McLaughlin asked Mr. Petroccia to comment. Mr. Petroccia said that \$47,000 of the \$49,084.84 is to build the parking lot between the new tennis courts and the baseball field. Another \$2,000+ is to change from just handicapped fountains to the dual fountains, per the handicapped regulations. All Supervisors present voting yes, motion carried 4-0.
- C. **Action Item** – Mr. McLaughlin called for a motion to approve Payment Application No. 4 for the Moon Park – Phase I Construction Improvement Project in the amount of \$94,147.20 as recommended by the Township Engineer in his letter dated October 23, 2009. Motion made by Mr. Sinatra, seconded by Mr. Vitale. All Supervisors present voting yes, motion carried 4-0.
- D. **Action Item** – Mr. McLaughlin called for a motion to approve the Change Orders to the Olson Park Hiking Trail project, No. 2 in the amount of \$9,775.42 and No. 3, deducting the contract by \$3,523.50 as recommended by the Township Engineer in his letter dated October 23, 2009. Motion made by Mr. Sinatra, seconded by Mr. Vitale. Mr. McLaughlin asked how much this will end up costing us. Mr. Petroccia said that it would cost \$6,251.92. All Supervisors voting yes, motion carried.
- E. **Action Item** – Mr. McLaughlin called for a motion to approve Payment Applications No. 3 and No. 4 for the Olson Park Hiking Trail Project in the amount of \$22,086.83 and \$16,409.04, respectively, as recommended by the Township Engineer in his letter dated October 23, 2009. Motion made by Mr. Vitale, seconded by Mr. Sinatra. Mr. McLaughlin asked Mr. Petroccia to comment. Mr. Petroccia said that these are the last two payment applications. The Olson Park contractor's work has been completed. Application No. 3 is for the work itself and Application No. 4 is the retainage. All Supervisors present voting yes, motion carried 4-0.
- F. **Action Item** – Mr. McLaughlin called for a motion to pay Remington, Vernick & Beach Engineers, former Township Engineers, money received by the Township for outstanding engineering bills from Foltz Development for the Cimarron project. Motion made by Mr. Vitale, seconded by Mr. Sinatra. All Supervisors present voting yes, motion carried 4-0.

**COMMENTS FROM THE AUDIENCE:**

(There were none.)

**REMARKS FROM THE SUPERVISORS:**

Mr. Vitale said that he wanted to congratulate Mr. Eicher and Mr. Gribben for their victory in the Supervisors' race and congratulate those who participated in the process. They both conducted well run campaigns. He was somewhat disappointed in one thing. In the last two campaigns in which he participated, both sides were civilized and honorable; it didn't seem to happen this time. There seemed to be an acceptance of smearing people in public. He heard someone say that the end justifies the means. But he feels we need to get back to being honorable again. He wished everyone a great and safe Thanksgiving.

Mr. Eicher said that he wanted to thank those volunteers who worked through the campaign and assisted him. Running a campaign for Supervisor takes time, energy and dollars. He had a lot of volunteers who helped make it a success. The election is really not about that; it is about the residents of Moon Township. He thanked those people who came out to vote. To those who voted for him, he respects the fact that they were willing to put their trust of the Township in him for another six years. This election is not the end but the beginning—the beginning of a commitment he made to work hard to bring the best government to Moon Township and do what he can to improve the quality of life in Moon Township.

Mr. Sinatra said that he wanted to congratulate Mr. Eicher and Mr. Gribben. He went to the Wine and Cheese fundraiser at the library where he saw Mr. Eicher. Outside of what people see here, he and Mr. Eicher have a good relationship. He knows that Mr. Eicher and Mr. Gribben are better people than depicted in the slanderous campaign materials that were sent out. He asked Mr. Eicher about it and Mr. Eicher responded “that isn’t me.” I ran for this office; neither his wife nor his children ran for Supervisor. He hopes we will keep it clean and above-board next time. He also hopes that we have learned a lesson here and can grow from it.

Mr. McLaughlin said that he wanted to thank everyone for coming out to vote. He congratulated Mr. Eicher and Mr. Gribben. It was a beautiful day and hopes that people will continue to exercise their right to vote as a citizen of this great country. Some things were done that he thinks were not ethical. When he and Mr. Vitale ran, we were very aware of our opponents and their families. We did not want to discredit them or their families. You can take your shots at me and maybe there will be some shots at me if I decide to run again. But to attack someone’s family is not professional. For the individual that actually financed this, it is very disrespectful. Considering that position of authority that he has won and represents our district, he should handle himself in a more professional manner. He should be more concerned about our day care centers closing or our schools or libraries not getting proper funding than a local election. The funds used for those negative materials could have bought computers for our center in Mooncrest. We need to hold ourselves to a higher standard. He looks forward to serving this community for another two years, or perhaps another six. If that’s what it takes to win, then no one wins at all.

**MOTION TO PAY THE BILLS:**

Mr. McLaughlin called for a motion to pay the bills [**check no. 4498 through check no. 4725, EFTs, Capital Reserve check no. 1055 through check no. 1071, Liquid Fuels check no. 2068 and 2006 bond fund check no. 197 through check no. 199**]. Motion made by Mr. Vitale, seconded by Mr. Sinatra. All Supervisors present voting yes, motion carried 4-0.

There being no other business before the Board, the meeting adjourned at 7:50 p.m.

Respectfully submitted,

Janet L. Sieracki  
Assistant Municipal Secretary

APPROVED:

THE 2<sup>ND</sup> DAY OF DECEMBER, 2009

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Jeanne M. Creese, Township Manager

Township Seal [ ]