

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 Jim Vitale presiding. Supervisors present: Mr. Vitale, Mr. Sinatra, Mr. Eicher, Mr. Gribben and Dr. Mills.

PUBLIC COMMENTS ON AGENDA ACTION ITEMS:

(There were none.)

APPROVAL OF MINUTES:

Mr. Vitale called for a motion for approval of the minutes of the Budget Meeting of October 17, Budget/Workshop Meeting of October 26 and Regular Meeting of November 2, 2011, which were distributed to the Board of Supervisors for their approval. Motion made by Mr. Sinatra and 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. 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 |

ANNOUNCEMENTS:

- A. Mr. Vitale recognized Lisa Chiesa of Thorp, Reed and Armstrong and Tim Frenz of Janney Montgomery Scott LLC. Mr. Frenz said that he wanted to inform the Board of the actions that will be taken this evening regarding the bond issue. Mr. Frenz said that, as agreed upon last week, Janney went out into the market today and sold the bonds. The sale was very successful. He went over a brief summary of the sale and provided to the Board a complete set of numbers that includes payments, dates, etc. He said that two of the Township's outstanding transactions are being refunded—the only two pieces of debt that the Township has outstanding. The final savings came in better than was shown last week. Interest rates have gone down between last week and this week to the benefit of the Township and he explained the savings to the Township. The Township is borrowing new money by restructuring its existing debt. Last week that number was at approximately \$2.4 million. Because of the drop in interest rates, he was able to get the Township \$2.5 million in new money—all without increasing the Township's debt service payment above the current \$750,000. The sale went well and they are very proud of it. Lisa Chiesa of Thorp Reed & Armstrong, bond counsel, said that before the Board is a

copy of the debt ordinance, which is the official action of the Board of Supervisors, to be adopted this evening. She explained the purpose of this ordinance and what is contained in each article of the ordinance. The Township's solicitor has had an opportunity to review the draft ordinance and did comment on it.

- B. Mr. Vitale said that the Robert Morris University concert choir will host their winter performance on Saturday, December 10, at 7:00 p.m. in the Massey Theater. Refreshments will be provided. The event is free and open to the public.
- C. Mr. Vitale said that the proposed 2012 Moon Township Municipal Budget is available for public inspection on Monday, Tuesday and Thursday from 8:00 a.m. to 4:30 p.m., on Wednesday from 8:00 a.m. to 7:00 p.m. and on Friday from 8:00 a.m. to noon in the Moon Township Municipal Building, 24 hours a day at the Public Safety Building and at the Moon Township Public Library during their regular hours of operation. The proposed 2012 budget is also available on the Township's web site at www.moontwp.com. The budget will be considered for formal adoption by the Board of Supervisors on Wednesday, December 14, 2011 at 6:00 p.m. The December Workshop Meeting will immediately follow the budget adoption meeting.
- D. Mr. Vitale advised citizens that Allegheny County has notified the Township that the Spring Run Road Extension Bridge is now open to traffic.
- E. Mr. Vitale advised citizens that the Moon Township Board of Supervisors is accepting resumes and letters of interest from citizens interested in serving on various Township boards and commissions. Please check the Township web site for more information.
- F. For a meaningful gift this year, consider honoring a friend or family member with an engraved brick in the Moon Township Memorial Garden walkway. Bricks are available for \$65 for an engraved 4x8" brick or \$200 for an 8x8" business brick. Engraved bricks will be placed in the walkway circling the September 11 Memorial and memorials honoring Moon Township's public safety professionals and military service members. Order forms are available online at www.moontwp.com or at the Moon Township Municipal Building.
- G. Mr. Vitale advised citizens that the Moon Township Board of Supervisors will hold their annual Reorganization Meeting on Tuesday, January 3, 2012 at 7:00 p.m. The January Regular Meeting will follow the Reorganization Meeting.
- H. Mr. Vitale advised citizens that Moon Township Offices will be closed on Friday and Monday, December 23 and 26, in observance of Christmas and on Monday, January 2, 2012 in observance of New Year's Day.

NEW BUSINESS:

- A. **Action Item** – Mr. Vitale called for a motion to approve the 2012 bond issue and adopt Ordinance No. 638 accordingly. Motion made by Mr. Sinatra, seconded by Mr. Gribben. All Supervisors voting yes, motion carried.
- B. **Action Item** – Mr. Vitale called for a motion to approve Ordinance No. 639 to amend Chapter 192, Article 2, of the Moon Township Code of Ordinances, Earned Income and

Net Profits Tax, to establish regulations consistent with the Local Tax Enabling Act as amended by Act 32 of 2008. Motion made by Mr. Eicher, seconded by Dr. Mills. Mr. Vitale asked Ms. Creese to explain this action. Ms. Creese said that effective in January 2012, there are changes going into effect for the collection of local income tax, or sometimes known as wage tax. These changes were put into effect under Act 32 adopted by the state. Effective January 2012 it is mandatory that residents' employers withhold the tax. For many residents, this already occurs. But there are some residents who are responsible for paying their own wage tax directly. As a result of Act 32, there were changes that the municipality needs to adopt changing their current ordinance. That is what this new ordinance does by changing some language. It is important that residents and businesses take proper steps to make sure that collection procedure goes smoothly. Businesses need to register with the new tax collector, Jordan Tax Service, if they have not done so already. Residents need to take the appropriate form into their employers. The ordinance that the Board is adopting is making language changes so that we are consistent with Act 32. The law only changes the collection procedures. There is no change to the tax rate that residents pay to the school district or the municipality. If residents have any questions, they can call the municipality to refer to the Township's web site. All Supervisors voting yes, motion carried.

- C. **Action Item** – Mr. Vitale called for a motion to approve Ordinance No. 640 to amend Chapter 192, Article 1, of the Moon Township Code of Ordinances, Admissions Tax, to change the references to the tax collector. Ms. Creese said that again, there is no change to the admissions tax rate withheld. The admissions tax is placed on anyone in Moon that holds an event. This ordinance also just corrects the language. When Act 32 was enacted, it made different language to the definition of wage tax collector and tax collector. This ordinance also corrects that language. The admissions tax is currently being collected by the appointed collector, Keystone Municipal Collections. All Supervisors voting yes, motion carried.
- D. **Action Item** – Mr. Vitale called for a motion to reject all bids for the Moon Township Volunteer Fire Department Multi-Purpose Emergency Response Vehicle opened on October 19, 2011 and to authorize rebid of this vehicle. Mr. Lucas said that the Township took bids and there were two bids received. There were discrepancies in the low bidder, who did not comply with some of the requirements related to bonding. Chief Scott identified other more technical discrepancies in both sets of bids. In light of these discrepancies, the conclusion was that it was best to reject all bids and go through the process again so that the discrepancies can be ironed out. All Supervisors voting yes, motion carried.
- E. **Action Item** – Mr. Vitale called for a motion to award the bid for the sale of a 1991 Chevy Sport Van to the low bidder as determined at the public bid opening held on November 30, 2011. Motion by Mr. Gribben to award the bid to the high bidder. All Supervisors voting yes, motion carried.
- F. **Action Item** – Mr. Vitale called for a motion to approve the collective bargaining agreement between the Township of Moon and the Moon Township Police Officers' Association for the period of January 1, 2010 and December 31, 2013. Motion made by Mr. Gribben, seconded by Dr. Mills. All Supervisors voting yes, motion carried.

UNFINISHED BUSINESS:

- A. **Action Item** – Mr. Vitale called for a motion to approve Final Contractor Payment Application to Youngblood Paving, Inc. in the amount of \$521,963.72 for the 2011 Road Paving Program as recommended by the Township Engineer in his letter dated December 6, 2011. Motion made by Mr. Eicher, seconded by Mr. Sinatra. Mr. Petroccia said that while this is a lot of money, this is the second pay request received from Youngblood Paving. The initial bid to do the paving was \$829,173. Through our Public Works Department's efforts and some conservative quantities, the final bill came in at \$699,492 for a savings of about \$129,700. Therefore, we came in well under budget. Youngblood has done a very good job paving the roads that were on the list for this year. He is recommending that Youngblood receive payment. Mr. Eicher asked how many miles of roads were paved. Mr. Petroccia said that we paved about five or six miles. Mr. Sinatra asked how we saved the money. While, it is good to save the money, perhaps next year we would be able to pave six or seven miles of roads rather than five or six. Mr. Petroccia said that Youngblood did not complete their final paving work until October. If they had completed their work earlier in the season and we realized that we were going to be that much under budget, we would have done more roads and brought the final figure up closer to the budgeted amount. Mr. Sinatra said that he hopes this same process can be followed next year in order to save money so that we can possibly pave another mile or two of roads. All Supervisors voting yes, motion carried.

MOTION TO PAY THE BILLS:

Mr. Vitale called for a motion to pay the bills [**check no. 9636 through check no. 9848, EFTs, and Capital Reserve check no. 1323 through check no. 1330**]. Motion made by Mr. Gribben, seconded by Dr. Mills. All Supervisors voting yes, motion carried.

COMMENTS FROM THE AUDIENCE:

Mr. Antonio Alvarez-Pedroso of 102 Cottonwood Court said that he is here to clear his name. In the minutes of the Board of Supervisors meeting of July 6 Mr. Eicher accused him of requesting that the Board violate or take some action that would be in violation of the intent of the law. Mr. Eicher stated that while he understands Mr. Alvarez-Pedroso's concerns, what he is asking is for the Board to take some action that, by all the advice he has received, would be in violation of the Fair Housing Act. That is a very serious accusation. He has made no comments until after the elections because he was afraid that his comments or ethnic accent would be either detrimental or beneficial to some of the candidates. Now that the election is over, he would like the minutes of this meeting to show that he is a law-abiding citizen and would never think about violating the law. That is why he asked the Board to provide legal advice to Mr. Lucas so that our zoning laws could be revised without violating the Fair Housing Act. That is what the lawyers do for a living and they make good money at it. They help their clients get around the laws without violating the laws. Again, he would like the minutes of this meeting to show that he is a law-abiding citizen and would never think about violating any law.

Mr. Sabatino Mancini of Ridge Road said that he is here to remind the Board of the problem he is having on Ridge Road that was discussed at last Wednesday's workshop meeting and if the Board has done anything about it. He knows it is premature, but he just wanted to remind the

Board of what has to be done. If he does not hear anything from the Township, he will be back at the next meeting. Hopefully, the Board will have some answer for him then.

REMARKS FROM THE SUPERVISORS:

Mr. Sinatra said that he would like to wish everyone a Merry Christmas since the Board will not be seeing everyone until January. He hoped everyone had a good Thanksgiving. He said that he wanted to congratulate Andy Gribben and John Hertzler for their election to the Board of Supervisors. He knows they will do a good job. Boards before them have done an excellent job and he knows they will continue the tradition.

Dr. Mills said that she wanted to thank the Board of Supervisors for giving her the opportunity to serve these last three months. It has been a very enjoyable and educational experience. The Board has been very congenial. She thanked the staff and everyone who works here in the municipal building. In doing some Christmas shopping, she wanted to remind everyone to shop locally. There are many wonderful shops here in Moon Township. She wished everyone a Merry Christmas and thank you again.

Mr. Gribben said that if anyone has an interest in serving on a board position, now is the time to get involved. That is how better decisions are made—when the public comes in and gets involved. The positions are listed on the web site. Please submit your resume or call one of the Board members or Ms. Creese.

Mr. Eicher said that he would like to make a few comments about the budget. The Board of Supervisors is required by the end of each year to pass a balanced budget for the following year. A preliminary budget is approved. That preliminary budget has to be available for public viewing for a minimum of 20 days. The Board must then take action to approve a final budget. On November 16, the Board met and voted on the preliminary budget. There will be no change in millage. In comparing our 2011 budget with the preliminary 2012 budget, we are projecting revenues to be flat. We are expecting to 2012 to be a repeat of 2011 with respect to revenues. We are expecting a \$70,000 increase in expenditures. Again, when looking at \$11 million, in an economy where we project revenues to be flat, we have a budget that will be keeping expenditures flat. He is not sure that too many governments out there do that. He gives the staff a lot of credit. The Board directed management and staff to keep this Township in good financial condition, and we managed to do that. Next week at our workshop we will vote on the final budget. However, there is always a down side. If we keep the spending flat, are we really keeping up with the needs of the Township? In some cases, his opinion is that the answer is no. Earlier this evening the Board took action on a bond issue. Interest rates are low. We also re-established the length of the bonds and take on additional debit. This additional debt will provide the Township with \$2.5 million. He is not one for debt. However, there are things in the Township that need done and debt is the way to do it. The things that this Township needs to do include buildings and infrastructure. We have a building in Cherrington that houses the library and the roof leaks. He thinks it unconscionable that we allow that to happen. That is one example of facilities around the Township that need to be repaired. This is one way. We set the amount of money that we borrow because we do not want to increase the amount of our debt service. So the payments we make each year for debt (\$750,000), is the amount that we have been paying for the last number of years. By increasing the debt and spreading it out, that debt service payment stays the same. It is not what he calls the best financial management, but under the circumstances we have, it is good financial management. All municipalities get ratings. The best rating you can get is a AAA. We have a AA. He understands that there are no

municipalities in western Pennsylvania that have a AAA. One thing that could impact our rating is the high debt that the school district has. Even under the circumstances, the financial position of the Township is so strong our rating stayed AA. This is because we keep a good and sensible fund balance and match our expenditures with our revenues. He believes that we have taken some steps to make sure that 2012 will be a good year for the Township. If anyone is interested they can review the budget. The Board will be meeting next Wednesday to vote on the final budget. It is the opportunity for citizens can come and make comments. Since this is the last televised meeting before the holidays, he wanted to wish everyone a Merry Christmas and Happy New Year. It has been a pleasure serving with Dr. Mills for this short time.

Mr. Vitale said that he would like to echo Mr. Eicher's comments. He would like to thank the staff as well as Mr. Frenz. They did a great job in putting together the bond issues. Everything is falling into place nicely. He thanked Dr. Mills for helping us out over these last several months. She has been an asset to the Board. He thanked the Road Department for all of the holiday decorations. He wished everyone a Merry Christmas and Happy New Year. Mr. Vitale recognized Allegheny County Council representative Matt Drozd who is in attendance.

Mr. Drozd gave an update on the some serious happenings in County Council. The Council voted for a tax increase on which he voted no. He ran on the premise of no tax increase because he knows how much his constituents are hurting. He also voted against his own salary. He would like to see new initiatives in Allegheny County but thinks there are revenues to be had from many areas, including Marcellus shale, if it is done right. We have to protect our resources for the people of Allegheny County. He talked briefly about the jail population. We also have a lot of infrastructure in Allegheny County that we will be responsible for and have to pay for. He thanked the Board for the opportunity to speak. He is always available to answer any questions.

There being no further business before the Board, the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Janet L. Sieracki
Assistant Municipal Secretary

