

MOON TOWNSHIP BOARD OF SUPERVISORS

WORKSHOP MEETING MINUTES

April 25, 2012 – 6 PM

Board Present:

Marvin Eicher, Chairman
Andy Gribben
Jim Vitale
John Hertzner

Staff Present:

Jeanne Creese, Township Manager
Jeff Ziegler, Assistant Township Manager
Adam McGurk, Assistant Township Manager
Lisa Lapaglia, Finance Director
Alexis Sergeant, Communications Director
Janet Sieracki, Assistant Municipal Secretary

Others Present:

Tim Bish, Township Solicitor
Mal Petroccia, Township Engineer
Joe Young
Daniel Wolf

Public Comment on Agenda Action Items:

(None)

General Comments from the Public:

(None)

Action Items –

Mr. Eicher called for a motion to approve/deny the General Mutual Release and Settlement Agreement between Creative Concrete & Construction, Inc. and the Township of Moon. Motion to approve made by Mr. Vitale and seconded by Mr. Hertzner. Mr. Bish explained that this relates to the litigation relative to the Stevenson Mill salt facility. Motion carried 4 – 0.

Discussion Items –

Planning Department:

Traffic Engineer's Report:

Mr. Kraynyk of Foxwood Road provided the five additional signatures as required in the traffic-calming ordinance. A meeting will be held with the Township traffic engineer to begin the evaluation process for a traffic-calming device on this roadway.

Pittsburgh International Business Park:

There have been several meetings on this matter. The first meeting was to review the current ordinance to see if there is a more appropriate path for this development. As a result, the developer has requested that the Planning Commission table this application. Mr. Bish said that when he met with the developer, it was felt that the development would contain more office than flex space and the developer has requested a time extension. Based on these discussions it is believed that the developer will withdraw their conditional use request and come in with a master plan for office uses in their facility. When they do, they will come in separately for each building.

Goddard School Major Land Development Plan:

This project was recommended for approval by the Planning Commission. It will be on the Board's May 2, 2012 regular meeting agenda for consideration. The project is an 8,600 square foot day care center on Commerce Drive. It will include a waiver request for a fee in lieu of sidewalks and a waiver from the stormwater freeboard requirement. The developer may eventually request a zoning amendment to permit schools in the BP zoning district as they eventually want to offer kindergarten programs, which is defined as a school and not permitted in the BP district.

Foxwood Knolls PRD Phase 2 and Tentative Plan Revisions:

Project Manager Joe Young said that Phase 2 of Foxwood Knolls is being worked on. He discussed re-phasing of the plan. They will be on the Planning Commission's May 29 agenda and the Supervisors' June 6 agenda, which will include a public hearing to revise the phasing plan. Mr. Young and Mr. Wolf thanked the Board and left the meeting.

Finance Department:

Capital Purchases Report:

Ms. Lapaglia said that there are two additional capital reserve payments from her previous report sent to the Board. The first payment is to Olsen for the comprehensive plan and the other is for the Fire Department pumper which is being made in order to take advantage of the discount period.

Delinquent Real Estate Tax Collection Fee Schedule:

Ms. Lapaglia said that this matter has come to the Township's attention, particularly as it pertains to the school district. Currently, the commission being paid to Keystone Municipal Collections on the Township's delinquent real estate tax collections is on a sliding scale basis. It has been brought up to the school board that the individuals are paying Keystone's commissions included with their taxes. Our agreement with Keystone does not do that and we do not do that; we are paying their commission. This is something that may need to be investigated further during the upcoming budget discussions.

Board of Supervisors Strategic Planning Session:

After discussion, the Board's first preference for the Strategic Planning Session with Mike Foreman of the Pennsylvania Department of Community and Economic Development is Saturday, June 30, and their second preference is Saturday, June 9. The time will be from 9:00 a.m. to approximately 1:00 p.m. Mr. Ziegler will coordinate with Mr. Foreman.

Paperless Agenda Project:

Ms. Creese said that the staff has reviewed paperless agenda software from BoardDocs and felt it was user-friendly and will fit the needs of both staff and the Board. A discussion ensued on the goal of paperwork reduction and document retention. The Board also directed that the style of the Board of Supervisors' meeting minutes be changed to reflect actions/votes taken by the Board and a brief summary of citizen comments. It was the consensus of the Board to move forward with the paperless agenda software.

Marcellus Shale Update:

Ms. Creese gave an update on Marcellus Shale. Per Act 13 recently enacted by the State, the Board has to pass a new municipal ordinance by a deadline of August 14 in order to be in compliance with the Act. The new ordinance must repeal Moon Township Ordinance No. 629 and adopt a new oil and gas ordinance. While the Township must still meet the August 14 deadline, the zoning provision is on hold due to an injunction from Commonwealth Court until sometime in December. It is the recommendation from Special Counsel Gavin Robb that the Township not do anything at this time while this provision is still under review. Ms. Creese said that a request was received for a support resolution supporting the lawsuit in Commonwealth Court of Pennsylvania opposing Act 13. After discussion, the Board felt that while they would like to see the Marcellus shale industry grow and succeed in this area, they felt the resolution of support should say that municipalities should have the right to determine their own zoning ordinance and what goes into certain areas of their municipality. Ms. Creese will review the draft resolution to make sure it accurately reflects the Board's view.

Library Expansion Committee Report/Request for Legal Opinion:

Mr. Eicher said that he met with the Library Board in February and they indicated to him they wanted to stay in the Community Service Center and expand the library. Mr. Eicher explained to them the process they would have to go through. A discussion needs to take place on the next step. Ms. Creese and Mr. McGurk subsequently met with the Library Board. Mr. McGurk said that it was recommended to the Library Board that they have the site surveyed in order to determine if an addition is feasible and what relief they will need from the Township's ordinances, particularly pertaining to setbacks and parking. There is still some question as to the legalities of this since the Township is the property owner. Ms. Creese asked the Board's approval to get a legal opinion from the Township Solicitor. She has already provided to the Solicitor some legal questions for his

review. The Board had no problem with expending the funds to get a legal opinion from the Solicitor. Mr. Bish will provide his legal opinion at the next Workshop meeting.

Board of Supervisors Meeting Schedule:

The regular meeting of the Board of Supervisors has been advertised for Tuesday, July 3. The Board preferred to hold their July meeting on Monday, July 2, instead. The Board directed that their regularly scheduled October 31 Workshop meeting be moved to Monday, October 29. The Board also directed that the Planning Commission be requested to consider moving their regular meetings to the third Wednesday of the month at 6:00 p.m. Mr. McGurk said that he would ask them to consider this change.

Pending Meeting Requests:

Ms. Creese said that we are again meeting with the Transportation Authority on April 26 to talk about the former Cargo district, which is now called the Airport Moon Transportation Development District. Mr. Eicher said that he would be attending the meeting.

Ms. Lapaglia reminded the Board that on May 3 at 5:30 p.m. a meeting is scheduled to review the performance of the police pension fund with the actuary from PNC.

Mr. McGurk reminded the Board that the Comprehensive Plan Committee has two meetings scheduled. The first meeting is on May 9 for their transportation initiatives discussion with L.R. Kimball. The next meeting is on July 11 to discuss the Community Goals & Objectives. This is a very important meeting at which the Board may want to provide their input. Mr. McGurk will make an announcement about these meetings at the regular Board of Supervisors meeting of May 2.

Regular Meeting Agenda Items:

Ms. Creese went over the items for the May 2 regular meeting agenda as listed on the workshop agenda. Documentation for these agenda items are in the Board's packet.

Township Solicitor –

Countywide Reassessment Update:

Mr. Bish gave an update of the status of the Allegheny County reassessment. There is legislation pending before the State Senate to put a halt to the court-ordered reassessment through December 2013. If passed, there is some question as to whether or not it will apply to Allegheny County.

Grant Drive:

Mr. Bish went over some of the issues with Grant Drive. He provided some of the options that can be considered for upgrading the condition of this road—a private roadway. After discussion, the Board directed that staff attempt to bring the property owners together at a meeting to try to resolve the maintenance issues.

Township Engineer:

Cherrington Community Center – Roof/HVAC Replacement:

Mr. Petroccia said that the draft of the bid document has been distributed to the Township. The report from the consultant, Mr. Chorba, is in the Board's packet. A discussion ensued on the options for this roof/HVAC replacement project. One of the options discussed was whether to replace the current 20-ton unit that is 13 years old and has malfunctioned in the past with a newer, more energy-efficient unit for an additional cost of \$10,000. The unit has to be removed anyway in order to replace the roof. The second option for the Board's consideration is the relocation of the ductwork from this unit. The relocation being proposed would save an additional \$5,000 and \$5,000 in roofing costs but may not be aesthetically pleasing as it would be inside the building. The bond issue schedule has been revised to reflect this increase in the estimated cost. When this work commences, it may require short periodic closures of the library to the public and/or staff for safety reasons. Mr. Petroccia will be prepared to make an award recommendation at the May workshop meeting for award at the June regular meeting. After discussion, the Board directed that the replacement project continue to move forward and the 20-ton unit be replaced with a new 10-ton unit. The relocation of the ductwork is Alternate No. 1 and a decision on that as well as the other alternates can be considered when the bids come in.

Beaver Grade Road/Thorn Run Road Signal Project:

Mr. Petroccia said that the contractor, Michael Facchiano Construction, has signed the contract. A pre-construction meeting has been scheduled for May 9 and work will commence as soon as possible.

Autumn Woods Landslide:

Mr. Petroccia said that the final grading work is underway and started work on the stormwater basin. Slow and steady progress is being made.

Safe Routes to School/Brooks School Sidewalk:

Mr. Petroccia said that he is still waiting for PennDOT to set up a meeting on the two small pieces of right-of-way along Hassam Road.

2012 Roadway Improvement Project:

Public Works Administrator John Scott is working with the contractor, El Grande. A pre-construction meeting has to be scheduled.

North Flaugherty Run Road Bridge:

Mr. Petroccia said that the survey work has been completed. He distributed drawings of the new bridge and described how the construction would occur. A construction right-of-way of about one foot needs to be obtained from one of the property owners.

NPDES MS4 Annual Report:

Mr. Petroccia said that the Township has an MS4 permit that requires an annual report be submitted by June 9 of every year. The draft of the report is being prepared by Lora Dombrowski and he will complete his portion of the report. We need to work on updating the stormwater management ordinance because the permit that Moon Township has will have to be reapplied for. The deadline for the new application is September 14 with a new ordinance.

Comments / Questions:

Mr. Vitale said that about two weeks ago he and Jeff Ziegler took a representative from the Pittsburgh Film Office on a tour of Moon Township. The representative found the tour very informative.

Executive Session:

The Board went into executive session at 9:37 p.m.

Respectfully submitted: Janet L. Sieracki, Assistant Municipal Secretary