

MINUTES

The Workshop Meeting of the Moon Township Board of Supervisors was called to order at 7:00 p.m. with the Pledge of Allegiance to the Flag, Chairman Tim McLaughlin presiding. Supervisors present: Tim McLaughlin, Jim Vitale, Frank Sinatra, Marvin Eicher and Andy Gribben. Also present: Jeanne Creese, Adam McGurk, Lisa Lapaglia, Meghan McNamara, Michael Santicola, Garen Fedeles, Mal Petroccia, Lynn McCullough, Tom Arnold, Kim Lawrence of The Pittsburgh Post-Gazette and Michael Pound of The Allegheny Times.

Mr. McLaughlin announced that prior to this meeting the Board met in executive session at 6:00 p.m. to discuss personnel and litigation.

Public Comments on Agenda Action Items:

Tom Arnold of Crawford Drive said he wanted to comment on item No. 2 of the Solicitor's portion of the agenda. Mr. Santicola said that he would explain this item during his report.

General Comments from the Public:

(There were none.)

Discussion Items:

1. Planning Department:
 - a. Resident request / Municipal Adoption of the private portion of Chimney Rock Court in Sonoma Ridge, Phase IV – Mr. McGurk said that he received a request that he forwarded to the Board by email. The resident is requesting that the Township accept Chimney Rock Court as a Township road. This road is in Sonoma Ridge Phase IV where it was planned to build the estate homes on several-acre lots. The road was always planned to be private and was not built to Township standards. Mr. McGurk said that he informed the resident that the Township has standard details for the construction of roads and the Township will not take over a road that is not built to those standard details. He spoke to the Municipal Authority who said that the trash hauler will be able to get down the street with a smaller truck in order to do trash removal. Mail delivery will be done by a one multi-unit box at the end of the street and the residents will be responsible for snow removal and maintenance. The Board did not express a desire to take over the road.
 - b. Nyetimber Group Residence Land Development Plan Application – Mr. McGurk said that we received a letter from a representative of the neighborhood. They would like to make a presentation at the upcoming Board meeting on why they object to the plan. The applicant has not yet submitted a new plan and Mr. Petroccia's comment letter is still valid.
 - c. 937 Beaver Grade Road Conditional Use Application – Mr. McGurk said that an application was received for a massage therapy establishment at 937 Beaver Grade Road. This is permitted by conditional use in this zoning district. It was recommended for approval by the Planning Commission. The property is the location

of a former massage therapy establishment. Mr. Eicher asked if the applicant must be certified by a professional organization. Mr. McGurk said that that the applicant must be certified and would check to insure that the applicant holds such a certification. The conditional use public hearing is scheduled for the regular meeting next Wednesday.

- d. RMU Concord Hall II Land Development Plan – Mr. McGurk said that this land development plan was submitted by Robert Morris University. The plan was submitted for both preliminary and final approval. It is for a residence hall on the university campus. They are applying for preliminary and final as it is a twin to an existing dorm that was already approved and built. It was recommended for approval by the Planning Commission.
- e. Kenny Ross Toyota Dealership Land Development Application and Conditional Use Application – Mr. McGurk said that several of the Board members have seen this land development plan before. It is an automobile dealership on the site of the old Allegheny Motor Inn. There are several deviations being requested. They are requesting a 75' setback rather than the required 85' setback. They are requesting a deviation of the bufferyard requirement from 10' to 0' because they have to build a retaining wall. The public hearing on the deviation requests is scheduled for the Board's regular meeting next week. The land development plan will not be on the Board's agenda until next month. They will have an access driveway across from Sheetz. Mr. Eicher asked about the location of the loading zone. Mr. McGurk said that the loading area would be behind the building on the west side. There will be reduced parking in the front. The Planning Commission recommended approval of the conditional use requests subject to the Planning Department's review letter of May 12, 2010.
- f. Other applications submitted for review – Mr. McGurk said that a minor subdivision application was submitted and will be reviewed by the Planning Commission next month and the Board of Supervisors in July. Also submitted for review was the combined preliminary/final major land development plan for the Wal-Mart Supercenter and the rezoning application for 1521 Coraopolis Heights Road from R1-A to C-1 and included in the Carnot Village overlay district.
- g. 2010 Comprehensive Plan update – Mr. McGurk said that the Planning Commission continued the pre-assessment discussion for the comprehensive plan update. The topics discussed were housing and natural resources. Regarding housing, Mr. McGurk reviewed with the Planning Commission the six residential zoning districts. He said that Moon is 56% residential, 36% commercial/educational and 8% open space. Included in the discussion was a review of each zoning district as it relates to the others. He did a review of the existing residential areas, the amount of land development and the amount listed as vacant. From 2000 to 2009, 74 subdivisions were approved (both residential and commercial), 925 residential lots were created and 1,060 new dwellings were constructed. He said that it is unlikely that Moon will see the same amount of residential development from 2010 to 2020. 2000-2009 was probably Moon's housing boom. He said that representatives from the Moon Area School District will be at a future meeting to discuss their school system capacity. Future housing development will be one of the biggest impacts on the school district's facilities. The next step is to take the information and draw up the scope of

- work. It will be sent to the Board in early fall and then we will hire a consultant to do the comprehensive plan. Regarding natural resources, the Planning Commission talked about streams, waterways and open space. He wanted to talk about Marcellus shale drilling. There will be an extensive public information session on June 1, 2010 at Moon Area High School. He encouraged the Planning Commission to attend that session rather than having them come to a Planning Commission meeting. Mr. McGurk said that he would be attending the session on June 1 and will report back.
- h. Thorn Run Road / Beaver Grade Road Intersection HOP – Mr. McGurk said that a letter was received from Trans Associates regarding the signal at the Thorn Run Road/Beaver Grade Road intersection. The initial comments from PennDOT indicated that only the eastbound traffic turning left onto Thorn Run Road from Beaver Grade met the warrants for a left turn arrow. Subsequently, PennDOT has requested that, in addition to the eastbound left turn arrow, left turn phases and arrows be added to all of the approaches. PennDOT also stated that if the Township desired emergency vehicle preemption could be added to all four approaches to this intersection as part of the project. These four left turn arrows require modifications to the signal plan. The additional work will result in an additional charge of approximately \$3,300 over the budgeted amount. If the Board had no objection, a motion to approve this expenditure will be on next week's regular meeting agenda. The Board had no problem with it and was pleased that all four approaches would receive a left turn arrow. Mr. Petroccia said that the sidewalk plan has been submitted to Trans Associates so they should be getting it to PennDOT very soon for the highway occupancy permit. Mr. McLaughlin said that he received a telephone call from a resident of Londonbury II who was concerned that with the installation of the new sidewalks in that area that the school district would not bus area students any longer and force them to walk. Mr. McLaughlin said that he told the resident that was something that the school district determines. Mr. Sinatra said that with regard to sidewalks, there are some sidewalks in his neighborhood that were cracked after Verizon installed their fiber optic lines.
- i. Montour Run Road /Cliff Mine Road signal modifications – Mr. McGurk said that Trans Associates had a meeting with PennDOT regarding this intersection. PennDOT was not very favorable with the ideas that Trans Associates had. PennDOT said that we could study whether two left turn lanes are even needed at this intersection. Mr. McGurk said that there are probably two left turns there for a reason, although he is not sure what those reasons are. Mr. McLaughlin said that he is not in favor of spending any more money on this intersection and would rather put money toward a signal at Beaver Grade Road/Montour Run Road. He knows that there is money in an escrow account from Sonoma Ridge to improve this intersection, even though it is located in Robinson Township. He feels this intersection is extremely dangerous and it is difficult to make a left turn onto Beaver Grade Road from Montour Run as vehicles will pass cars on the right that are stopped to make the left turn. Mr. Sinatra said that he has spoken to one of the Commissioners from Robinson Township who told him that Robinson is considering putting a light at the Beaver Grade Road/Clever Road intersection. Perhaps we could consider combining the projects.

2. Parks Department:

- a. Meeting with Allegheny County / Airport Authority – Ms. Creese said that she had a meeting this morning with our representative from the Allegheny County Council and the Airport Authority to update the County on our Moon Park improvement project and its impact on the lease of county property for our park. We solicited the County's input into the planning process for our park and how the improvements will impact the proposed Montour Junction athletic facility. The Airport Authority now has to approve any plan and an appraisal of the property must be obtained prior to entering into any lease as the lease must be at fair market value. Also discussed was how our park will impact the Montour Junction Park being planned by the county. The county will soon begin the appraisal process for the property.

Another reason why she wants to talk about this is that the airport authority wanted to know if the Board of Supervisors was interested in being an alternate on their bid for Marcellus shale drilling in our park. The golf course manager said that he was contacted by a representative of a company that does Marcellus shale drilling. The Airport Authority is issuing a request for proposal (RFP) for the drilling of Marcellus shale on airport property. They inquired if Moon Township was interested in being an alternate on the bid for our park property. The Airport Authority made the same inquiry of Findlay Township. Findlay Township was not interested in being an alternate as Findlay's park property does not belong to Findlay Township; it belongs to Maronda Homes. There will be quite a number of decisions that the Board would have to make should they decide to do that with the Airport Authority. She recommended that the Board attend the upcoming informational meeting on Marcellus shale drilling. They may also want to visit the location of a Marcellus shale drilling rig. If Board members cannot attend, she will be attending and get all of the educational materials available to distribute to the Board. This is a matter that the Board should keep in mind for the future. While there is the potential for income, there are risks as well. Mr. Eicher explained how the natural gas drilling in the Marcellus shale takes place. He said that he does not see any problem, other than public relations, with the Township being included as an alternate on the Airport Authority's RFP. We do not have to proceed with the drilling if we are not comfortable with it. Ms. Creese said that she would obtain copies of the bid specifications from the Airport Authority for the Board's review. There will be public hearings and we will get input from the public prior to entering into any agreements.

- b. Montour Trail / Hassam Road Closure Request – Ms. Creese said that the Montour Trail Council has advised Moon Township that they are sending a request to PennDOT to close Hassam Road for three to four hours the morning of September 25 for a bicycling event. Moon Township would have to approve it as well. It will be open to emergency vehicles if needed. The Board had no problem with this closure.
3. Resolution / Felician Sisters Purchase of Mooncrest Units – Ms. Creese said that she got a call from an attorney requesting a resolution. We are going to attempt to handle this request. As the Board knows the Felician Sisters are purchasing two units in Mooncrest. One of the units will be occupied by three of the Sisters. After review, it was determined that this use complies with the Township's zoning ordinance. Because these dwellings were renovated with Allegheny County Block Grant funds and the second unit may be used for purposes other than residential housing (although at times it may be used for temporary housing), the County questioned this use. They asked that the Township support the sale of these units to the Felician Sisters. The closing on the units

has been delayed for three months until this matter is straightened out. Ms. Creese said that she has also been in contact with Action Housing about this matter. The Board had no problem with adopting a resolution of support for the sale of these units to the Felician Sisters. A motion will be on the Board's regular meeting agenda next week.

4. Appointment to Allegheny County Association of Township Officials – Ms. Creese said that a request was received that we make an appointment to ACATO. They need someone from townships to attend their regular board meetings. Mr. McLaughlin has been working more evenings and has been unable to attend. They prefer to have a Township Supervisor as a director but the Township Manager can be appointed to the board. They meet three times a year and have a convention in May. They need strong representation from all townships because an issue can arise that can impact townships. An example is HB 2431. This bill's intent is to organize local governments on a county basis, thus eliminating townships. ACATO is working to stop this bill. Mr. Eicher said that he would attend the upcoming meeting in October and then decide prior to the Reorganization if he wishes to continue on that board. A motion for this appointment will be on the Board's regular meeting agenda.
5. Marcellus shale discussion – This matter has already been discussed.
6. Township Solicitor Invoice meeting report – Mr. Vitale distributed a report he prepared following the meeting that was held with the solicitor to discuss billing procedures. A discussion ensued on the review of documents by the solicitor and where legal reviews are required. Initially, when Mr. Santicola was retained as Township Solicitor, the Board directed that he receive everything that the Board of Supervisors receives. A discussion ensued on the documents that are sent to Mr. Santicola in the weekly correspondence and agenda packets and where a legal review may be required. He said that whenever anything is sent to him in his regular packet, he reviews that documentation and bills accordingly. If a Board member asks him to do a legal review, he does so. Ms. Creese said that legal reviews by the solicitor are to come from the Township Manager or as a result of a legally convened meeting or executive session of the Board of Supervisors.

[Mr. Sinatra left the meeting at 8:57 p.m.]

Ms. Creese said that in preparation for the meeting with Mr. Santicola she prepared an agenda of issues for discussion that she went over with the Board. A discussion ensued on some of the areas of concern outlined in the agenda. For example, regarding the tax assessment appeals that are sent to Mr. Santicola he said that he reviews and signs off on these tax assessment appeals as they are sent to him directly. She also expressed concern about the quality of the legal review of the draft of the Township codification. Mr. Santicola said that he did not read the entire codification book. Nor did he compare the current Township ordinances to the codification to insure their accuracy. This is something that he feels Keystate Publishers should be doing. He would be glad to read the final draft whenever it is received. Mr. Eicher questioned what exactly Mr. Santicola reviewed when he read the codification. He is concerned because once the codification is adopted this becomes the laws of Moon Township. Mr. Santicola said that he reviewed the form and has been working on this with Garen Fedeles as Mr. Fedeles has done these codification reviews in the past. A discussion ensued on the codification review process. Mr. Fedeles said that if an error is found in a particular section of the codification the appropriate ordinance can be readvertised and readopted. Ms. Creese

said that, although that is true, it is quite costly to advertise an ordinance and she would hope to avoid having to do that. Mr. Santicola said that he would be happy to read the entire final draft of the codification if that is what the Board desires.

[Mr. McLaughlin left the meeting at 9:40 p.m.]

7. Township Meeting Agenda Items – Ms. Creese said that on the regular Township meeting agenda for next week will be two proclamations, one in recognition of the Odyssey of the Minds team from Moon Area School District and one recognizing Gloria Krall on her retirement as owner of a Moon business for 30+ years.

Township Solicitor:

1. Ordinance Codification – This matter has already been discussed. We are awaiting the revised final draft from Keystate Publishers.
2. Moon First / Wal-Mart – Mr. Santicola said that the litigation is still pending and not resolved. Regarding Wal-Mart, there has been the submission of a revised plan. It has not yet been reviewed by Township staff and there have been some changes in the traffic patterns. The new traffic patterns on the submission do not enter into the lawsuit, but he thinks it should. The new plan removes the bufferyard and that was the only matter on appeal. There will be action on Wal-Mart at the Board's regular meeting in July. PennDOT will not sign off on the traffic study until we approve the plan.

Township Engineer:

1. Autumn Woods Landslide and new detention pond – Mr. Petroccia said that he talked to the DEP last week. They had the geotechnical investigation from the developer and consultant and expect to complete the review this week. Kimball will be out doing the drilling in mid-June and have their report 30 days thereafter, which translates into a landslide remediation plan. It will be incorporated into the consent order.
2. Cherrington Center roof replacement – Mr. Petroccia said that the specifications bid package has been dropped off at the Township building. The pre-bid meeting is scheduled for June 17 and the bids are due on June 24. He should have a recommendation ready for the Board's next workshop meeting.
3. 2010 Road Program – Mr. Petroccia said that the 2010 Road Program is partially completed. Farm View Drive was added because it was in such bad shape. The contractor is currently working off site. The Township Public Works Department will adjust inlets and do their other normal road program work. The contractor will come back later this summer to finish up the work. We have not yet gotten an invoice from Youngblood Paving so he does not know where we are so far as the budget is concerned.
4. Sidewalks update – Mr. Petroccia said that regarding the sidewalks at the Thorn Run Road/Beaver Grade Road intersection, the design has been completed with the other questions asked by PennDOT addressed. Regarding the sidewalks on Hemlock Drive, the contractor will start construction next week. He will be coming back to the Board with the bid specifications for the sidewalks on Juniper Drive and Oak Drive.

5. Moon Park Tennis Court Sealing – Mr. Petroccia said that we went out for quotes for the sealing of the new tennis courts in Moon Park. Quotes were obtained as the cost was anticipated to be under \$10,000. He recommended that the contract for the sealing be awarded to Penn Ohio Sealing Company. Penn Ohio was recommended by the manufacturer of the Sports Master sealing product in the specifications. The sealing is a four-coat process and must be dried between coats. Therefore, the tennis courts will be out of service for about four days while this work is being done.
6. Public Safety Building Emergency Generator – Mr. Petroccia said that he reviewed the bids that were received for the emergency generator for the Public Safety Building. Although none of the bids met all of the specifications the Cummins bid was the least expensive and is what he is recommending provided they add certain items. One of the items that did not meet our bid specifications was the circuit panel. Baker calculated the usage for the Public Safety Building and felt that the 80 percent rated circuit breaker would meet the needs of the Public Safety Building and is adequate for any future expansion. The Cummins proposal included a coolant heater but not a battery heater or oil heater as specified in the bid specifications. Cummins provided prices for those items. He is recommending that the Board award the bid to Cummins with the optional items at their regular meeting next week. Mr. Eicher asked who would service this Cummins generator. Mr. Petroccia said that Cummins has a big office in Monroeville and would check with them on who would perform the service.

Mr. Eicher asked Mr. Petroccia if he is close to putting together a punch list for completion of the Moon Park project. Mr. Petroccia said that he is. He wants Liberoni to do a test of the irrigation system first and he will then prepare a punch list. Mr. Eicher said that he will send a list of the punch list items he noticed to Mr. Petroccia.

There being no further business before the Board, the meeting adjourned at 10:00 p.m.

Respectfully submitted,

Janet L. Sieracki
Assistant Municipal Secretary