

MINUTES

The Workshop Meeting of the Moon Township Board of Supervisors was called to order at 6:00 p.m. with the Pledge of Allegiance to the Flag, Chairman Jim Vitale presiding. Supervisors present: Jim Vitale, Andy Gribben and Frank Sinatra (via teleconference). Also present: Jeanne Creese, Jeff Ziegler, Lisa Lapaglia, Meghan McNamara, Blaine Lucas, Mal Petroccia, Jim Rumbaugh, Joe Tarquinio, Tom Arnold, and Jenna Staul.

Public Comments on Agenda Action Items:

(There were none.)

General Comments from the Public:

(There were none.)

Action Items:

- Mr. Vitale called for a motion to approve a modification of §§188-508.B.1 and 188-508.B.3 of the Township Subdivision and Land Development Ordinance for the Sonoma Ridge Phase V Final Planned Residential Development Plan in order to permit one (1) set of inlets for Jordan Court (from the high point to the end of the cul-de-sac) to exceed the 400 foot maximum inlet spacing requirement to the extent referenced on the development plans most recently revised July 21, 2011. Motion made by Mr. Sinatra and seconded by Mr. Gribben. Mr. Petroccia explained that the ordinance requires a maximum of 400' between either manholes or inlets. In this case there is only another 100' above this one inlet. We are talking about a small road that is a cul-de-sac. It does not make sense to add another set of inlets in this one small cul-de-sac. They are asking for a waiver and he recommends this waiver be granted. Yes votes were cast by Mr. Vitale, Mr. Gribben and Mr. Sinatra. Motion carried.
- Mr. Vitale called for a motion to approve the Sonoma Ridge Phase V Final Planned Residential Development Plan subject to the conditions referenced in the Township Manager's letter dated July 27, 2011. Motion made by Mr. Gribben and seconded by Mr. Sinatra. Mr. Jim Rumbaugh, president of the Meritage Group and developer of Sonoma Ridge, said that this is Phase V of a 285-lot master plan PRD. This phase is comprised of 41 lots. It is the completion of Duckhorn Drive, which is already $\frac{3}{4}$ of the way in. This will tie the two ends of Duckhorn Drive. It will also include Jordan Court, which will have 21 lots. The total lots in the entire development will have one lot less than the master plan was approved for, 284 lots rather than 285 lots. This will be the last phase. Yes votes were cast by Mr. Gribben, Mr. Sinatra and Mr. Vitale. Mr. Rumbaugh thanked the Board and left the meeting.

Discussion Items:

1. Planning Items:
 - a. Sunridge Development Transition – Ms. Creese said that there will be a developer presentation regarding the Sunridge development and transitioning this to a new owner. This development is in the back of the Bon Meade plan and was also known

at one time as Breezewood and Candlewood. Mr. Tarquinio is in attendance representing the developer. Mr. Tarquinio said that there are eight lots on Lochinver Drive. There are four or five homes that have already been built and three additional lots that are owned by other individuals. The potential buyer has entered into an agreement with former developer Mr. Pappan to purchase the eight lots. Part of the understanding is that Mr. Pappan wanted him to put the final coating on the road so that the Township could take it over. In the process of trying to determine what needed to be done the Township Engineer has become involved and provided a list of things that still need to be done. The potential buyer has said that he does not want to be a developer; he just wants to buy these eight lots and finish the plan. He has provided a list of items that he is willing to do that has been submitted to the Township and is open to negotiation. Hopefully a resolution can be reached and we can make this work to the benefit of everyone. When he met with the engineer, there were some questions to which Ms. Creese is trying to get answered. Fourway Properties was the original developer and he asked if there was a performance bond in place but that could not be determined. Secondly, Fourway Properties no longer exists. The properties in question have been transferred to another trust. His client would like to be able to make this work without being a developer. Mr. Vitale asked who is doing maintenance on the roads now. Ms. Creese said that the Township has done winter maintenance for the last two winters and billed Mr. Pappan but has received no payments. The roads have not yet been dedicated to the Township. A bond was located in the Township files. But since the development is so old, it was unclear whether or not the bond is still valid. A discussion ensued on the outstanding items. Mr. Petroccia said that Mr. Tarquinio's client is proposing to do the paving, including fixing the cracks and raising/cleaning the inlets; not doing any of the stormwater improvements; not installing street lights if they are not already there. They are proposing to do the sidewalks in front of each house and planting the trees. They are proposing to abandon two ground water monitoring wells. The Board may or may not be aware that there was a hazardous waste clean-up that was on one of the lots. He is not proposing to do the as-builts. Mr. Lucas said that his preliminary view is to first determine whether there is still a valid bond in place. The cleanest way to handle this is for Mr. Tarquinio's client to enter into a developer's agreement for just the southern half and agree to do the improvements. Mr. Tarquinio said that the two other lots are on the market with another realtor. However, the question is if they are sold can they obtain a building permit for a house. Ms. Creese said that there was a Stop Work order issued around 2005 because of lack of infrastructure. There is no record of that being lifted. Mr. Tarquinio said that there was a house that was just completed two months ago so someone got a building permit. Ms. Creese said that the Stop Work order may be for specific lots and not that one, but she would have to check. After discussion, Ms. Creese said that if the Board wants this to move forward, there will have to be some funds expended, both legal and engineering, but not much. We would need permission from the Board to continue to negotiate and look at those portions that the developer would not come in and finish. We need authorization to proceed. The Board felt it worthwhile to pursue trying to get this done. The first step is to explore whether or not the bond is still valid. Staff should continue negotiating getting this project done. Mr. Tarquinio thanked the Board and left the meeting.

- b. Resident request to relocate the stop sign at the intersection of Jarod Drive and Fern Hollow Road – Ms. Creese said that she provided the Board with a copy of a

resident's request and subsequent report from Chief McCarthy. From the resident's request, it sounds like it is something that is simple, but the Chief's report indicates that it is not as easy as it seems. Additional traffic studies would be required to relocate the stop sign. She asked the Board if they wanted staff to pursue this further. The Board indicated that they did not want to take any action on it at this time.

- c. PennDOT ARLE Grant Application – Ms. Creese said that in the Board's packet is a copy of a PennDOT grant application for automated red light enforcement transportation enhancements. This grant application is due by July 31. She has Kimball working on this application. We are going to submit for the Thorn Run/Beaver Grade red light. We already have all the permitting done for this light.
 - d. Tri-County Airport Partnership for Regional Aviation Driven Economic Development – Ms. Creese said that she talked to the Board about this matter at the last meeting. It is titled Aerotropolis. This was a planning exercise that she attended at Robert Morris University. One of the things coming out of this is that they are going to ask the Board to sign a non-binding memorandum of understanding that exists among the Airport Authority, the three counties and the four municipalities involved. A draft of the proposed memorandum of understanding is in the Board's packets. The four municipalities involved (Robinson, North Fayette, Findlay and Moon) have looked at this memorandum of understanding. It was their view that the memorandum of understanding needs some work before we can recommend our respective boards to sign it. They met with the consultant that is working on this project who suggested that before he goes to the four municipalities individually he meet with them as a group and talk about language that the municipalities feel would be more acceptable. That meeting will occur on Friday here at the Moon Township Municipal Building at 11:00 a.m. If the Board had any comments on the language they can let her know by Friday morning. Another draft will be presented to the Board following that meeting prior to adoption by the Board of Supervisors.
 - e. Regular Meeting Items – Ms. Creese said that the four items listed on this workshop agenda will be on the Board's regular meeting agenda for consideration. These were recommended by the Planning Commission at their meeting last evening. These items include the Robert Morris University School of Communication/Information Systems/Media Arts, the Robert Morris University Facilities Storage Building and two simple subdivisions, the Krupka lot consolidation and 836 Thorn Run Road.
2. Finance Department:
 - a. Capital Purchases Report – Ms. Lapaglia said that she gave the Board a capital reserve payment listing for this month. There will be no additions to the list.
 3. Board Schedule/Request for Meeting:
 - a. Ms. Creese said that we need to pick a meeting date in August for the combined meeting with the joint boards about the renovation or relocation of the Community Service Center. The Board had also said they wanted to do a 2nd quarter of 2011 budget review on that same day. After discussion, the Board decided to meet with the combined boards on August 10 at 6:00 p.m. and do the

2nd quarter budget review prior to the next workshop meeting of August 31 at 5:30 p.m.

Ms. Creese said that anyone that needs VIP passes for the upcoming Air Show needs to let her know by Friday including the names of the attendees and which day they will be attending, Saturday or Sunday.

4. Agenda Items:

Ms. Creese said that the items listed on this workshop agenda will be those items included on the regular meeting agenda for announcement or the Board's consideration and action.

Township Solicitor:

Mr. Lucas said that we did get a decision on the Sica/Capwell appeal of the Tarquinio property. As the Board recalls, the Zoning Hearing Board invalidated the rezoning as spot zoning. Judge James ruled that: (a) it was premature to challenge that, and (b) even if it wasn't premature it was not spot zoning. The adjacent property owners, if they choose to pursue it further have the right to appeal that ruling to Commonwealth Court within 30 days.

Township Engineer:

1. Autumn Woods DEP Consent Order – Mr. Petroccia said that at the last meeting he said that the DEP issued their consent order and agreement. We have the signed copy now. He has been working with the DEP and Allegheny County to make sure that all the permits are in place so there are no excuses for not starting August 1. He received a voice mail message today from the developer's engineer that they had to talk to the Moon Township Municipal Authority about the sanitary sewer right of way at the top since the stormwater line was now going to cross it at a different place. He is expecting them to start work next week. We had a surveyor out there and he would like to get a new toe of slope of that landslide. He would like to get that before fall or winter. Mr. Vitale asked if that information has been given to the residents yet as they have asked the Township to keep them abreast of progress. Ms. Creese said that we have sent the resident who represents the homeowners' association a copy of the consent order.
2. Safe Routes to School – Mr. Petroccia said that he had a meeting with PennDOT. We are just going to focus on Brooks School and redo what we have done in PennDOT format. Most of that work has been done and expects that we will resubmit to PennDOT by next Friday to keep that process moving.
3. Municipal Rain Gardens – Mr. Petroccia said that the rain gardens aren't working quite as planned and weren't built quite as planned. He did a survey of those and found out that they are built half the size that they were designed to be. In the email he sent out earlier this week, he recommended some changes be made to them so that the water will drain out more quickly. He thinks the fix will be fairly easy. The Audubon Society will then come back and replace the plantings.

4. RMU Facilities Storage Building – Mr. Petroccia said that this is a facility for salt storage and two plows kept on campus near the soccer field. All comments have been met and it is ready for approval. A motion will be on the Board's regular meeting agenda next week.
5. RMU School of Communications/Information Systems/Media Arts – Mr. Petroccia said that they submitted a significantly different design where instead of the building being all stretched out, the building now rises three stories in the middle of Wayne Center. It is a much nicer design, especially from a stormwater point of view. It has less impervious area with an atrium in the middle. It took a significant effort to review an essentially new submittal. He is recommending it for approval at the Board's regular meeting next week as well.
6. Defense Commissary Agency – Mr. Petroccia said that the Defense Commissary needs a stormwater letter of consistency in order to get their HOP permit. We couldn't issue a letter saying that their stormwater plan was entirely consistent with all the ordinance requirements because there were certain inlets and manholes that were deeper than the ordinance allowed which in fact we required them to be in order to meet the one percent slope requirements that are in the ordinance. He felt it more important to have enough slope to keep the flow going and not have sediment build up in their pipelines. They submitted a letter requesting the waivers. The Planning Commission reviewed it and recommends approval of those waivers. If the Board votes on that, the DCA could get their consistency letter and start construction on the commissary. Mr. Gribben made a motion to approve the waivers of the Defense Commissary related to the stormwater management review letter dated July 22 by Michael Baker. Motion seconded by Mr. Sinatra. All Supervisors present voting yes, motion carried 3-0.
7. North Flaugherty Run Road Bridge – Mr. Petroccia said that he left this item on the agenda because we have the outstanding letter from PennDOT saying we have to decide whether we are going to replace the guiderails or send them a letter indicating that we intend to replace the bridge. The Board needs to give this decision some thought. Ms. Creese asked Mr. Petroccia to get together with Jim Henkemeyer and John Scott. At the last meeting the Board asked if we had any used guiderail. We do have some used guiderail but they questioned whether that will be a viable option. There are some trees in the way that might need to be removed. They have the two design options but they are not sure which trees would need to be removed in those design options. They were looking at that information but they need to meet with Mr. Petroccia to talk about how viable it is to use used guiderail and pick the option to get it into next year's budget.
8. 2011 Road Program – Mr. Petroccia said that the 2011 road program was supposed to start again this week. Mr. Gribben said that he received a call from several residents on Beacon Hill Drive. Apparently recent storms have washed out the backfill and seed that was recently put in. Mr. Petroccia said that Youngblood Paving will come back and make those repairs.

Ms. Creese said that at the last meeting the Board had asked for the same information that the Planning Commission was getting on Marcellus shale. There is information in the Board's packet from Tucker Arensberg. One packet contains their memo with comments on the Township's current oil and gas zoning ordinance. Contained in the other packet is a memo with information that the Planning Commission specifically asked for regarding the status of the

current bills that are before the House and the Senate. The Planning Commission just discussed this information briefly last evening, but they just got it last evening and have not had a chance to review it. They will review the information and have additional discussions. They do not yet have a recommendation ready for the Board of Supervisors.

There being no further business before the Board, the Board went into executive session at 7:05 p.m.

Respectfully submitted,

Janet L. Sieracki
Assistant Municipal Secretary