

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, Marvin Eicher, Frank Sinatra and Andy Gribben. Also present: Jeanne Creese, Adam McGurk, Jeff Ziegler, Lisa Lapaglia, Dana Kasler, Michael Santicola, Irv Firman, Mal Petroccia, Lynn Foltz, David Hilton, Mike Salai, Lori Bowe, and Tom Arnold.

Mr. McLaughlin said that prior to this meeting, the Board met in executive session to discuss personnel and litigation matters.

Public Comments on Agenda Action Items:

(There were none.)

General Comments from the Public:

Ms. Lori Bowe of 505 Boggs School Road said that she operates a day care at 212-214 Juniper Drive in Mooncrest, which was her old residence. She is a State-funded day care. When the State budgeted was passed last year, she lost 75 percent of her income. She is asking for a waiver of the fee to obtain an occupancy permit to locate her day care in her home on Boggs School Road. The Juniper Drive location has fallen into such disrepair that it is not a safe environment for the children and her landlord refuses to make any repairs and the property is being turned over to the bank. Her day care is her only source of income. Mr. McGurk explained that as the Board knows for a home day care, the applicant needs conditional use approval and is subject to the conditional use process. This includes a public hearing before the Board of Supervisors and an appearance before the Planning Commission. This process requires a \$250 filing fee and a \$1,000 escrow, which is used to cover the cost of advertisement, attorney fees and cost of the court reporter. Ms. Bowe's request is to waive the application fee and the escrow. He explained to Ms. Bowe that the Board has received similar requests in the past from other entities and the waiver has never been granted. His opinion is that it's not that we do not want to waive the fee, but it is a difficult position for the Board because other applicants have made similar requests and were denied. Ms. Bowe said that she would even agree to a temporary waiver and she would be happy to pay this money once she got her day care going. She showed photographs of the deplorable conditions at her current day care location. After discussion, Mr. McLaughlin said why don't we as a Board not take our salary next month and donate that money in order for Ms. Bowe to go through this process. Mr. Sinatra said that he would do that. Mr. McLaughlin said that the Board would donate its salary in order for her to continue her day care. Her son served in the military and gave his life; it is the least we can do as a Board. If there is money left from that, he is willing to donate it to Ms. Bowe's day care. Mr. Firman said that the Board will still have to go through the conditional use hearing and evaluate the application on its merits, despite this donation. It should not influence the Board in any way. Ms. Bowe thanked the Board and left the meeting.

Township Solicitor:

1. Ordinance Codification – Mr. Santicola said that the most recent draft of the codification was received. The department heads have been given their appropriate sections for

review. He has not read through the entire book again. He reviewed it to make sure his that his comments and changes on the first draft were made. This is the final version of what Keystate is going to send.

2. Moon First / Wal-Mart – Mr. Santicola said that there is the appeal regarding the original plan that was discussed in executive session from a litigation standpoint. The appeal is still pending and has been stayed. He feels that the whole case is moot based on where we are now with the project. There have been no changes. There were no appeals on the conditional uses that were granted on this project and the time for appeal has well passed.

Discussion Items:

Ms. Creese said that Mr. Foltz, developer of Cimarron, is in attendance to discuss Cimarron, so she requested that he go first. The Board agreed.

Mr. Foltz said that with him this evening is David Hilton of Ryan Homes and his engineer Mike Salai. He said the purpose of coming here tonight is to request a PRD for the Cimarron development. This is in response to conditions in the housing market and the type of product that people are buying. He explained the changes to the lot size that will help to increase density. Mr. Hilton explained the successes and the strategies that necessitated these changes in asking for a PRD. He described the homes and other amenities that will be offered in the subsequent phases of the Cimarron site. Mr. McGurk said that a public hearing has been advertised for next Wednesday's regular meeting for the Board to consider this PRD conditional use request. The land development application for Phase II will also be on the Board's regular meeting agenda. We did allow Mr. Foltz to apply for preliminary and final approval because so much work has already been done on this project. For example, the street layout is staying the same; the stormwater is not exactly the same but is very similar and the geotechnical stayed the same. All the research has been done for preliminary and final approval. This request received unanimous approval by the Planning Commission. Mr. Foltz said that he is asking the Township to work with him to keep the community going. They are offering a nice product and hopefully the economy will turn around. The products that they will be offering are the products that the market is demanding. Mr. Eicher asked what makes these lot changes into a PRD. Mr. McGurk explained that it is the flexibility to create lots that are different than what our zoning ordinance requires. The minimum lot frontage isn't the same. The PRD could change the building setbacks from the street or side-yard setbacks. It allows the Township to work with the developer to create a unique neighborhood. Each phase will have to come in for land development approval. A discussion ensued on the requirements for a PRD. Mr. Foltz, Mr. Hilton and Mr. Salai thanked the Board and left the meeting.

1. Parks Department:

- a. DCNR Grant Announcement / Waterfront Park Plan – Mr. Kasler said that an announcement went out about a week ago that the Township is going to receive a 50 percent match to do a master site plan for the former RB&W property. There was not a lot of money given out by the State so we feel very privileged. It is nice to have Meghan McNamara on board to work with their Public Relations people to get the word out about the money being spent in our community. He and John Riley met with the DEP on October 12 about clean-up of the site and Mr. Kasler confirmed that the future of the site will be a park. The Water Authority got the

go-ahead to start moving the basement area. The DNCR requires that we send them our RFP proposal, which Mr. Kasler said that he has 90 percent complete. We will be picking committee members for the master site plan.

- b. Moon Park Phase I Construction Project Update – Mr. Kasler said that he emailed to the Board some communication he had with the contractor. He distributed a memo outlining what has happened since then. He requested that the contractor complete the items on the punch list. The Board is aware of the issue with the tennis court poles. Mr. Petroccia said that he told the contractor that the soils were too soft in that area and provided appropriate documentation. Baker's position is that the contractor needs to replace those two poles with a bigger foundation. The last response from the contractor was that he wants the Township to pay for it and Mr. Petroccia said that he does not think that the Township should. Mr. Kasler said that he and Mr. Petroccia again went over the punch list items with the contractor. With the exception of the tennis court poles, the rest of the punch list items are minimal dollar things that need to be addressed. There is adequate retainage in addition to the bond should we need to do the work ourselves. Mr. Kasler described the other work that still needs to be completed such as the gutters. He would like to give the contractor a deadline of when those outstanding items need to be addressed or we would do the work ourselves. The Board agreed on giving the contractor a deadline of November 5. The Board discussed the repair procedures to the poles and the other work to be done in the park. Ms. Creese said that we have put the contractor's bonding company on notice. Mr. Kasler said that the waterlines in the walking trail are being marked so that work can proceed. They will be cutting the lines on Monday. Obviously, the new asphalt will not be installed but all the cut-outs will be done.
- c. Bon Meade Resident Public Input Session – Mr. Kasler said that he was contacted by some residents of Bon Meade about the conditions of the two playlots in Bon Meade. He agreed that they are in poor condition and the equipment is out-of-date. The residents want new equipment in their neighborhood. He met with the residents on-site to discuss the options. Sometimes shelters and equipment in unsupervised areas can attract things that are undesirable. This is the case in all the playlots, not just Bon Meade. He told the residents that he would like to have a public input session for all the neighborhood residents. This public input session has been scheduled for Wednesday, November 17, at 7:00 p.m. Letters are being sent to all the neighborhood residents inviting them to this public input session.

Mr. Kasler said that he has still been working with Verizon on the light pole with an internal antenna. Verizon is still supposed to provide us with photographs but they ran into some difficulties. Mr. Kasler said that he suggested to Verizon that they consider naming rights to the new field and build us a new scoreboard. In exchange, we will do a long-term lease and we could make this internal antenna happen. Verizon seemed very interested in this idea. After discussion, the Board directed Mr. Kasler to continue negotiations with Verizon on this matter.

2. **Planning Department:**

- 945 Brodhead Road Rezoning Request – Mr. McGurk said that this was discussed last month and reminded the Board that a public hearing for this rezoning request has been scheduled for November 3. At the Planning Commission meeting, the applicant amended her application. It is now a request to rezone the property from R-5, which is high-density residential, to C-1, which is neighborhood commercial.
- Wiltshire Estates Simple Subdivision – Mr. McGurk said that this is the Maronda townhome plan off Moon Clinton Road. Based on how the townhomes were constructed, they need to amend the lot lines for one set of homes two feet in one direction. They will be amending the subdivision plan to show the lot line being moved two feet. No new lots are being created and this will be on the Board's regular meeting agenda next week.
- Cimarron – Mr. McGurk said that we already discussed the land development plan and PRD request. The PRD is a public hearing that will be held next week. The land development plan for Phase II will take place after that.
- PA Army National Guard – Mr. McGurk said that this application has been withdrawn. Per a determination they received from the DEP, based on a stream on which they are encroaching, it is going to significantly impact how they design their site. The Army stopped all work on this project and hopefully they will come back sometime in the future.
- Cimarron Bond Reduction Request – Mr. McGurk said that Baker completed their inspection of the site and recommended a bond reduction from \$753,425 to \$659,000. This will be an action item on the Board's regular meeting agenda next week. This bond reduction is for Phase I.
- Lamar Bus Shelter Update – Mr. McGurk said that Lamar was issued two building permits by the Township for one shelter on Thorn Run Road near Baintree Road and one shelter at Parkridge Village. Both of these are just regular shelters, not the landscaped shelters. They proposed a third shelter, which would be a landscaped shelter, on Brodhead Road in front of Waterford Landing, but they ran into a utility conflict with a gas line. Lamar will have to figure out what type of landscaped shelter they want to do there and then come in for a building permit. Mr. McLaughlin asked if Lamar had plans to build a shelter at the Thorn Run Road park-and-ride lot as that bus stop gets a lot of use. Mr. McGurk said that it is on their list. We encouraged them to try to get that one done because it does get much more use than the others.
- Comprehensive Plan Update – Mr. McGurk said he will be distributing the RFP to the Pennsylvania Planning Association to post on their web site and to be sent out to their registered planning consultants. The due date for proposals is December 1. We will do interviews after the first of the year and then select a firm. We need to establish a Comprehensive Plan Committee. Most of the Planning Commission members have requested to be put on that committee. This is a separate committee to work on the comprehensive plan; they will meet

on a separate night from the Planning Commission. It should consist of a good representation of citizens, the business community and other Township boards or agencies.

3. Request for "Share the Road" Bicycle Signage – Ms. Creese said that this is a follow-up to a request from a resident made at the August meeting. The resident, Mr. Stempler, is requesting additional "Share the Road" bicycle signs in the Township and provided a list of 20 possible locations where he would like the signs. She requested Chief McCarthy, who is also an avid bicyclist, do a report to the Board on this request. Chief McCarthy's comment is that it has been his experience that signage does not have a big impact on bicycle safety. She corresponded this information back to Mr. Stempler; however, he is still requesting the signage. A short list of five of the most prominent locations was decided upon. The cost for one bicycle sign done in-house would be \$84. She asked if the Board wants to act on that this evening or give this request further consideration. The Board was agreeable to taking action at this meeting. Motion made by Mr. Vitale to erect five "Share the Road" bicycle signs as requested at a cost of \$84 each. Motion seconded by Mr. Eicher. All Supervisors voting yes, motion carried.

Ms. Creese said that there was an action item that was on this evening's agenda that was removed. It was for approval of the renewal of the snow and ice agreement with Allegheny County. The reason it was removed was that we are still waiting for the County to finish the improvements to Spring Run Road Extension. Once the work is completed, inspected and approved by our Public Works Director, that agreement can be adopted.

Township Engineer:

1. Autumn Woods Landslide – Mr. Petroccia said that he had reported at the end of September that the developer's engineer had submitted remediation plans. Baker did review them and submitted their comments at the beginning of October. The Township's geotechnical engineer submitted comments on October 13. Mr. Petroccia said that he called Kimball earlier this week and they said that they had not yet received the DEP's comments so they could not complete their remediation plan. They did not see anything happening this fall as a result. Mr. Petroccia said that he would follow up with the DEP next week.
2. Cherrington Center Roof Replacement – Mr. Petroccia said that he gave the Township a late bid award recommendation at the September workshop meeting. He feels that he owes the bidders some type of response. He asked the Board if this project is being put on hold until the spring as it is probably getting too late to do anything this year. The Board agreed that this work could not be done at this time. Mr. Gribben asked if something could be done to collect the water leaking into the library. Mr. Petroccia said that we should be patching the roof now before winter. Ms. Creese said that the Library Board has asked if there is or will be any structural danger to the building as a result of these leaks. She told them that the last time we had a heavy snow the building was inspected but would confirm it with our engineer. The other thing she has on her list, other than trying to remediate the water, is attempting to remediate anything structurally inside that would be a liability to the Township or the library. We have looked at that before to inspect for ceiling tiles that are ready to fall. That can be done in-house. Mr.

Petroccia said that the roof bidders said that they would hold their prices until next spring. He will have to return their bid bonds.

3. Moon Park Punch List – This matter has already been discussed.
4. Sonoma Ridge Phases 1, 2 and 3 dedication – Mr. Petroccia said that he got an email from the Meritage Group asking that the Township accept the roads in Phases 1, 2 and 3. Those roads have just been paved and he has not yet even had an opportunity to develop a punch list or do a full inspection. He is, therefore, recommending that acceptance not occur until the December meeting. Mr. McGurk said that he spoke to Meritage and they are fine with the December meeting.
5. SHACOG Road Software – Mr. Petroccia said that he, Ms. Creese and Mr. McGurk attended a SHACOG presentation. There are two different software packages available to SHACOG members at discount rates for tracking road improvements. He gave details of these software packages, how they can be used and the importance of having this type of information available. There is a simple software package titled “Curb” that the utilities are not on board with yet that was developed for SHACOG. The cost would be between \$200 to \$400 a year to subscribe. A person would need to input data into the software. There is a slightly more expensive system that is used by the county, the utility companies called “Envista.” This software has more features in terms of being able to communicate back and forth with the utilities and resolve issues via email notifications. The Envista system is \$2,300 a year. If we provide a spreadsheet of the roads that we will pave, they will input the data for us. The cost for both software packages reflects a 40 to 50 percent discount over their normal subscription price since SHACOG negotiated the price for their member municipalities. Those discounted prices are available through November 30. He thinks it is a good idea to subscribe to some type of tracking software to have records available for the Township. Ms. Creese said that we highly recommend this for the reasons that Mr. Petroccia stated. In looking at the presentations it was their view that the Envista software was far superior to the other product and gave reasons why. After discussion, motion made by Mr. Vitale, seconded by Mr. Sinatra, that the Township subscribe to the Envista software program through the SHACOG at a cost of \$2,300 per year. All Supervisors voting yes, motion carried.

[Mr. Sinatra left the meeting at 9:00 p.m.]

2011 BUDGET DISCUSSION

Ms. Lapaglia and Ms. Creese gave the Board an overview of how the capital budget is going to be done. Staff has compiled capital budget packets for the Board which will be distributed prior to the next capital budget meeting as that information must be reviewed by the Board prior to the capital budget meeting. But Ms. Lapaglia said that she would first like to discuss how we want to proceed because there are a lot of issues involved. One area that has been a point of controversy is how we administer the capital budget. This is something that she has been discussing with Ms. Creese and the department heads to verify that these allocations are still relevant to some of the issues that they are associated with and how to move forward. She used the Parks Department as an example. We have multiple line items associated with the Parks Department capital budget. We would like to take what is still relevant and create what we are

calling a “reserve” capital account for Parks. Anything that is not relevant at this point in time we would create an “unreserved” capital amount for the Parks Department. This would be done for each department. On top that we would create projects, and assign a project number to each item that would be either budgeted at the beginning of the year or throughout the year. We would then have a motion where the Board would vote on that project so that the Board is aware of exactly what we are spending out of the capital budget. This would be done for all of the unreserved expenditures. For example, the Parks account has \$846,000 in it. Of that \$846,000 there would \$300,000 that is reserved and \$500,000 that is unreserved. We might create a threshold anything over which would require a Board vote prior to expending any money from the unreserved funds. The reserved funds would be for those expenditures in that specific year. Dana Kasler has forwarded a memo indicating that there has been no budget for furniture, etc. within the Moon Park Phase I project. There are specific items that he wanted to purchase to try to finish the Phase I project. Even within this 2010 budget year there are specific items we would like taken out of the capital budget, list those items, purchase them but not implement them until 2011. There would be other items that we may want to purchase in 2011 that we would then reserve, assign them a project number and the Board would vote on them. She will put together a spreadsheet with this information for the Board’s review.

Ms. Lapaglia said that another item that she needs to discuss with the Board is that we have specific line items that we do not know the relevance of those projects today. The Board has to make the determination on their relevancy. Ms. Creese said that the basis for some of these items is prior years’ capital budgets and priorities. What Ms. Lapaglia is talking about is the handling of the capital budget moving forward. We want to make sure that the Board is very clear on the projects and amounts. We have a capital budget that has line items and amounts that have been carried forward over several years. We have pulled out money that has been reserved that we do not feel should be reserved any longer. It will then be shown as unreserved and used for other purposes. But it is not within the staff’s authority to do that. The Board must decide on whether or not those projects are still valid. As we have said, this will be a starting point. She would like the Board to discuss some of the projects listed so that we can release these funds. For example, there were funds reserved for tennis courts but the tennis courts became part of the Phase I improvement project. The Board discussed the specific projects in each department. We are not talking about taking any money that is already allocated within capital out of capital. We are not talking about taking any money that is already allocated to the department out of that department. We are talking about leaving all the funds within the departments to which they belong. It is just a different way of looking at the funds and giving the Board more authority in how the funds are handled. The capital budget has not been all that clear over the past few years. A brief discussion ensued on the capital budgets for each department.

Regarding the Fire Department, Ms. Lapaglia said that there really isn’t anything that can be done with the Fire Department money. The Fire Department money comes from a different source. It comes from the local services tax. That money is put into the capital account for public safety. The money that is put into the Fire Department is primarily for the purchase of equipment because their equipment is so costly that theirs is going to be designated for specified pieces of equipment. We have \$3.7 million in the capital fund to date and \$1.3 million of that is Fire Department reserve. This is the only department where we will not change how we look at capital monies.

Road Department – We have a Road Emergency Fund and a Street Construction Fund. To the best of our knowledge, this is money that has been set aside for major disaster involving a road,

such as a slide or sink hole. We would like to combine those funds and leave it as a reserved item. We would need the Board's permission to do that. One of the biggest items we have in the Road Department is a line item for Traffic Study and Design in the amount of \$123,000. It was determined that this money was for intersection improvements that had been put on a referendum at one point in the past. We did find a memo from Lennon Smith & Souleret from 2004 that listed 12 intersections for improvement at a cost of \$9.7 million. A discussion ensued on intersection improvements. Some of the intersections have already been done through the Road Program or other means. The Board needs to decide if these are still intersections that we need to look at and, if so, how we want to proceed. Some of the improvements have already been made but not reflected in the capital budget. We also have \$8,400 in this account labeled as Ewing Road Construction. But we have turnback money from PennDOT when we acquired from them a section of road between the interchange and Coraopolis Heights Road. Ms. Lapaglia asked if we should combine the \$8,400 with the turnback money. These are the types of questions she has. Mr. Vitale said that we need to get the funds out of an account that is no longer valid.

Ms. Creese said that she feels that what has been missing from the capital budget is this type of level of detail. After discussions with Ms. Lapaglia, they both were of the opinion that project numbers need to be assigned to better track specific project costs. Whatever consensus the Board comes to as a whole should be reflected in the capital budget and they must evaluate whether these items are still a priority and the funds remain. This is the exercise that the Board must go through today. The first step is to look at these projects and determine if this Board feels the same as they did last year or even 3-, 4- or 5-years ago. This step must be undertaken first. The next step is that she and Lisa will hand them all of the requests from the department heads. They will try to prioritize them for the Board, but the amount of items that they will receive will exceed the capacity to fund them. Some items will have to get cut. But these will be policy decisions from the Board. A big concern is what is to be done about buildings. We have more building issues as outlined in the facilities study than can be funded. The Board will have to give direction on those items. She realizes that the Board cannot make those decisions tonight but wants to request that they start thinking about such issues prior to the next budget meeting next week at 5:30 p.m. Ms. Lapaglia said that the Board needs to think of these in terms of long-range plans. There are definitely some short-term expenses such as vehicle leases, etc.

Mr. McLaughlin said that the Board needs to start thinking about what we want to do with the Cherrington Building. Ms. Lapaglia agreed that this is an extremely huge issue. The Board has to come to a consensus on what we want to achieve for the future of that building. Ms. Creese agreed that there are some very expensive items that the Board needs to take into consideration. Staff needs to get the direction from the Board.

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Janet L. Sieracki
Assistant Municipal Secretary

NEXT BUDGET MEETING:
November 3, 2010 at 5:30 p.m.