

BOARD OF COMMISSIONERS MEETING
MONDAY, FEBRUARY 6, 2012
7:00 P.M.

CALL TO ORDER: Chairman Sam Abatta called the regular meeting of February 6, 2012 to order at the Municipal Complex, 1000 Church Hill Road at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mapel-Present, Shiwarski-Absent, Forquer-Present, Abatta-Present

RECOGNITION OF FORMER CHAIRMAN OF THE BOARD DANIEL TALLON FOR HIS MANY ACCOMPLISHMENTS AS BOTH AS A BOARD MEMBER FOR 8 YEARS AND CHAIRMAN FOR 4 YEARS.

Solicitor Kamin spoke of the many good things that Chairman Tallon has accomplished. He praised his service to the Township, his devotion to his family and his unselfish devotion to public causes, wishing him good health, good luck and the best of everything.

Commissioner Mapel, about 1 1/2 years ago I had an opportunity to sit with Dan and Mr. Abatta to talk about the future of this Township with and without you (Dan Tallon). I liked the prospect of it with you better. You brought a great deal. Among the many things that you brought was humility and a willingness and desire to work with your neighbors. You set that example and that bar very high, such as coming when your health would not permit to meetings and going above and beyond what a public servant should be required to do. I am going to make my comments brief so that I can give others time. I want you to know that I would not be here, I would not have had this opportunity to serve the community had it not been for you. You have set a wonderful example. Our thoughts and prayers are with you and your family.

Chairman Abatta, in Mr. Shiwarski's absence, I would like to read a statement of comments that he has sent me:

Commissioner Shiwarski,: I would like to personally and for public record, say thanks to one of the real treasures of Robinson Township, Mr. Dan Tallon. Several months ago we had a surprise dinner for Dan, so some of my remarks might be repeated for some, but they ring true for me no matter how many times they are said. There are many reasons that I consider Dan a Robinson Township treasure. First, consider the time, energy and ideas that Dan has spent giving to his hometown community over his adult life. His contribution cannot be equaled by many. Regardless of whether you are in accord with his views or not, you can never doubt the sincere intentions of Dan towards the betterment of our community. That goal of bettering the place where we all live, work,

play or shop has always been paramount in Dan's life and probably why he was elected Commissioner for three terms and why he served so efficiently for the last four years as Chairman of the Board of Commissioners. I sold Dan a Chrysler convertible many years back "so that his hair could blow in the wind" he told me. At that time we were only acquaintances, but the integrity in dealing with him was evident to me, as it continues to be to this day. That episode was just a first glimpse into what kind of person Dan really is and why he always got my vote long before I was a fellow Commissioner. Several years later, before I decided to run for Commissioner, I was picking Dan's brain one evening at the Bronze Hood and the passion of which he spoke concerning the residents and issues, made it crystal clear that there was much fulfillment to be gained in serving as a Commissioner. Our talk was a deciding factor in me electing to run at that time. Second, Dan always makes time for everyone, no matter the issue, large or small with large being one of the driving forces behind the completion of Robinson's Burkett Park project. In doing this, he guaranteed that future generations may enjoy its amenities or even small things like making time to recognize an eagle scout on a meeting's agenda. This characteristic makes everyone feel their individual importance. Dan might not be the tallest guy in the room on any given day, but none of that serves the public and no person has a bigger heart. While knocking on doors during my first campaign, along with Dan, we had many hours to talk about everything and anything, from sports and politics to families and mutual friends. It was during this time that I came to realize what a good man Dan really is. There are many memories that I can recall, but one that I will never forget. One evening while campaigning, after I rang the doorbell, a very large and loud dog almost came through a screen door after us. The valuable lesson that I learned was never to be in the front of the line or you will be the first one bitten. Dan has been teaching us the ins and outs of Robinson politics ever since.

Also, a few years ago Dan and Jane joined a Saturday night bowling league and I saw the competitive side that is also evident occasionally on the Board and in executive and budgetary sessions that I have learned to respect and count on each month. By the way, Dan is quite a sandbagger in bowling. I have never seen a person finish with more strikes in the 10th frame than him, but golfing is quite another story. That competitiveness and toughness that I have just mentioned is evident as Dan has battled any illnesses or setbacks that have come his way in his personal life. With eternal optimism and determination, he is truly an inspiration to me and others. If there is a reward for battles well fought, Dan you surely will appear in the winner's circle.

Lastly, as a fellow Commissioner and friend, I can always count on Dan to be diligent, honest and sincere. He would always have your back if he said he would. What he says in front of us does not change in public. That old fashioned integrity is greatly appreciated by most. The camera being on during Township meetings, does not alter Dan's personality, agenda or method, unlike some others who visit the stage. Dan, thanks for the twelve years that you have served your fellow citizens of Robinson as Commissioner and for giving me the honor of serving under you on the Board. More important to me, thanks for the time, energy, influence and patience that you have given

the Township. I will truly miss you at the center of the podium or at the head of the conference table, but the transition will be eased by your past influences and examples and will help us all journey down the correct path, securing your legacy of a better Robinson Township community for everyone to enjoy. Getting to know you as a man the last few years has been a privilege and a bonus for myself and my family. These are just some of the reasons why you are indeed a Robinson Township treasure. All the best to you and Jane and thank you on so many levels. Enjoy your retirement Dan.

Chairman Abatta, Mr. Forquer?

Vice Chairman Mr. Forquer stated: Dan, you are in my thoughts every day. Given my experiences since I was elected, it is remarkable that you served here as a Commissioner for twelve years and served as a very capable chair. It was a surprise to me when I won the 2009 election and even more of a surprise after the election when you told me that you supported me to chair the Finance Committee. This year marks the third year of my term and because of your unwavering support in the last two years, we have made great strides to streamline our operations and dramatically turn around our financial management. Dan, you have been my mentor, my friend and my role model. You have always been reachable and someone who's advice always had a calming effect on me, even when I got wound up about some very frustrating governmental issues that we were working with. You offered me the opportunity to work with you and others in a cooperative way. Doors were open for me from the very beginning here and that is because you laid the groundwork and supported me. Other levels of government could learn a lesson from us with regard as to how different political parties should work together. Many of us have heard the expression about having a life changing experience and that is how I would describe my experience with you. In our lifetime we rarely get to know people who have had a positive effect on us through our relationships with them that made them better people, but that is how I feel about our relationship and you Dan. I thank you for all of your advice, counsel and support that you have given me. The incredible courage and positive attitude that you have kept in your battle against cancer, demonstrates your bravery and dedication to service of the people of our Township, which never waived. Dan, we are all praying for your recovery and I have been the beneficiary of your kindness, knowledge and friendship and it has been an honor to have served with you. Thank you for your twelve years of dedicated service to the citizens of Robinson Township. God bless you and I hope to see you soon. Jane, thank you for all of the good things you have done for Robinson Township and for standing by Dan. I salute you both.

Chairman Abatta: Dan, I am speaking directly to you. You know that I am a man of few words, very emotional, so I am going to keep this heartfelt. This is for you Dan. Today is the day that we can finally let Dan and all of the residents of Robinson Township know how much we have truly appreciated his twelve years of service to Robinson Township

and its residents. Dan, I would like to thank you from the bottom of my heart for all that you have done. You have given selfishly of your time to allow our community to have and make the best impact that you possibly could. At times as I served as Dan's Vice Chair, I can tell you that I have learned a lot. You know how to instinctively deal with issues, work to solve problems and most of all, how to treat all people. When things would go awry, I could not understand or fathom why people would say negative things. You always told me "we are not like them". I see now, what you mean. I have enjoyed immensely serving with you on the Board and working side by side with you throughout the years, but most of all, being your friend and sharing precious time with you. I know of no better public servant, no better individual, no better father or husband, than you. You are truly a role model to all of us. As I always have said, I love you like a brother and I wish you nothing but the best in your retirement Dan.

We are going to continue this presentation at the podium. At this time, Ms. Pam Ripple from Representative Nick Kotik's office is here. We are also honored to have Ms. Jane Tallon, the wife of Dan present this evening.

Ms. Ripple, As Chairman Abatta indicated, I am Pam Ripple and I am here from the office of State Representative Nick Kotik. Representative Kotik is in Harrisburg, therefore I have the honor of making this presentation tonight: The citation reads as follows:

From the Commonwealth of Pennsylvania, the House of Representatives, whereas the House of Representatives of Pennsylvania is always pleased to recognize those individuals who contribute in a meaningful way for the well being of their communities and ultimately to the people of this great Commonwealth. Whereas, Dan Tallon is being honored for his many years of dedicated service with Robinson Township and Whereas, Mr. Tallon served as Robinson Township Commissioner for twelve years and held the position of Chairman of the Board of Commissioners since 2008. He began his public service career as a Robinson Township Parks and Recreation Commissioner and he subsequently served as Robinson Township Police Department Commissioner and as a Char-West Council of Governments Representative. Mr. Tallon spearheaded the renovation of the Burkett Sports and Recreation Complex and supported the development of the Robinson Township Library. In addition, he was instrumental in the development of the first annual Robinson Township Autumn Festival. The success of this Commonwealth, the strength of our communities and the overall vitality of the American society depend in great measure upon the dedication of individuals such as Mr. Tallon, who use their considerable talents, energies and resources to serve others. He truly exemplifies the best qualities of the human experience and his spirit of giving and dedication has greatly impacted the lives of others. Now therefore, the House of Representatives of the Commonwealth of Pennsylvania congratulates Dan Tallon upon his richly deserved recognition and offers best wishes. A copy of this citation should be directed to Dan Tallon and I present it to his wife, Jane.

Chairman Abatta presented a plaque to Ms. Tallon which reads as follows:

“In recognition and appreciation for your twelve years of dedicated service and commitment to Robinson Township. Your endless time and devotion as a Commissioner will be appreciated for many years to come.”

Ms. Jane Tallon: Well Dan, we have your nameplate, your proclamation and a beautiful plaque. I cannot wait to get home and show you. Dan sent me with a few expressions of his thanks to everybody tonight. It is my privilege to be standing here to accept the proclamation and plaque in honor of my husband, Dan Tallon. Dan wanted me to convey his heartfelt expression of thanks to everyone who has stood by him through the years. Dan would like me to thank his family and friends for all of their support. He also wanted me to thank everyone who helped him reach his goal to hold the office here in Robinson Township. He thanks everyone who supported him during his twelve years in office. Dan valued his time campaigning door to door. He said that he enjoyed meeting so many residents and it has made it easier for him to understand their needs. All of those years ago as a young Commissioner, Dan had the privilege to be mentored by Bill Blumling, Harry Postufka, Dave Winning and Margaret Vietmeier. Dan would like to thank them for all of their guidance in his early years as a Commissioner here in Robinson Township. Dan enjoyed being part of the process of moving the Township forward and watching it prosper and grow. He enjoyed the people that he met along the way. He would also like to thank all of the Township employees. This Township has some of the finest, most dedicated personnel. It has been a pleasure to work with each and every one of you. It made Dan proud to sit as Chairman of the Board, working together with his fellow Commissioners. Transparency is a word that we hear quite often. “It is the word that defined us” is what he says. “We always strived to provide Robinson residents with the highest quality of services”. Dan would like to thank you all for giving him this opportunity to be part of this bigger picture. Thank you.

RECOGNITION OF COACH LOU CERRO AND THE MONTOUR SPARTAN FOOTBALL TEAM FOR ITS 2011 WPIAL CHAMPIONSHIP SEASON

Chairman Abatta read a Proclamation congratulating the 2011 Montour Football Team for their 12-3 record and winning the WPIAL Championship for the first time since 1964. They also finished 2nd in the PIAA playoffs for AAA. The Board congratulated the players and staff for their outstanding season.

Chairman Abatta, before we proceed to Citizens Comments, I would like to make a statement. I would like to reiterate something that I have said in the past meetings when I was chairing them in place of Mr. Tallon. Starting tonight, all Township meetings will be run in an efficient, succinct and professional business manner following the Robert’s Rules of Order and according to the First Class Township standards. Citizens comments are exactly what they are intended to be – comments. The definition for comments according to Webster are defined as: “something that serves for illustration or

explanation. They should not be outwardly insulting or derogatory on a personal level, especially Township employees. They are to be voiced to arrive at an answer to a specific issue or problem that can be remedied by the governing body or any of its professional people. Personal insults will not be tolerated. It should not be intended for a verbal discussion or infighting, but a means to resolve issues concerning the responder. I cannot, nor will I stop a sitting Commissioner from speaking to any issue or responding to certain questions, but it must be done in the correct forum and not a free for all shouting match. During my campaign for re-election, one of my main concerns of mostly all of the residents that I was in touch with, spoke to me about the demeanor of our Township commissioner meetings, questioning why the atmosphere was similar to a circus event. I can assure you, that now and in the future, these meetings will be run in a professional and proficient manner. One of my pledges to my constituents was to run the Township meetings in a professional and civil manner, along with maintaining all of the essential services that define us as a first class township. If the Chair interprets that any resident(s) are out of order, they will first be warned to come into compliance. If the turmoil continues, they will be escorted from the room. With that said, we will move on to Item #5 – Citizens Comments.

CITIZENS COMMENTS (4 Minutes)

Jerry Brouker, I do have something that I want to speak on. I was not aware that you were honoring Mr. Tallon this evening. From our side of the aisle, I would like to say that even though we butted heads occasionally and did not see eye to eye always, it was nothing personal and I hope that Dan understands that. We are all in this together. The reason I am here this evening is because Commissioner Triko resigned last month.. I know what you are going through right now because we went through it when Commissioner Marks passed away. I don't know the process that you have gone through, but I see there is an addendum here this evening and you may be voting on someone this evening. I did not apply for the appointment, nor do I have any desire to be appointed. However, as the Chairman of the Republican Party in Robinson Township, when Mr. Marks passed away, he should have been replaced by a republican. Mr. Forquer actually came to us at that time for our support. Commissioner Shiwerski and Commissioner Mapel, with all due respect, would not be sitting here if it were not for the absentee ballots. At the polls, our guys received more votes, but Mr. Forquer won by 30 votes and not without the support of the Republican Party. Not with my support however. I am asking that you replace Ms. Triko with a republican. In my mind, the very best solution would be Mike Malinsky, who ran with me this past year. All of the nice comments that were said about Mr. Tallon from those who ran with him, I can say about Mr. Malinsky. I have gotten to know Mike over the past decade and he has shown himself to be nothing but a good father, a savvy business person and he got more votes than anybody except for you, Sam. I am here to advocate doing the right thing and having the voice of our community heard. This is pretty much a 50/50 deal right now. I think it would be a shame to not replace a republican with another.

Steven Victor, Stafford Park is No. 16 on your agenda tonight. I am the owner of Stafford Park. It is my attorney's opinion that the recommendation made on February 1st was made on a faulty assumption. To say that the "mutually agreed upon revisions" are not allowed by court, is incorrect. Logic will tell us that when you need to settle a dispute, you go to court. If there is no dispute, you do not need to involve the courts. If we both mutually agree to do revisions that are desirable and beneficial, then I think we should proceed with the revisions. I have yet to hear any compelling reasons to deny the three simple revisions. At the December 21st meeting of the Planning Commission, Mr. Meyer expressed his support for the adjusted road profile and the new ADS HDPE pipe specifications. Mr. Meyers seemed to be in support of the detention basin elevation, as long as we could provide confirming pieces of information, which is so stated in his December 23rd letter, were to share with the Township the stream testing that was done by an independent laboratory, which we were able to provide. That we went out and dug three pit sites by Pennsylvania Soil and Rock to verify that there was no coal under the detention facility. The third was that we acquired an NPDES Permit from Allegheny County Conservation District and the DEP. Based on successfully completing all three of those charges, I believe that I have earned Mr. Meyers approval of the storm detention elevation, but I don't stand here solely alone this evening either. I have received the support of the Allegheny County Conservation District, the DEP, the DEP in Greensburg's Mining Division, Pennsylvania Soil and Rock, through their engineering and also the hydraulic engineering of (not audible). I also understand that I have the support of the Public Works Department who would favor having the high-density pipe, versus the concrete pipe due to its longer life and overall maintenance. Having spent considerable effort just to get to this point, in making your recommendation, I would hope that you would see these revisions and do the right thing by not following what is written in the motion as it currently stands because it looks like you are going to be denying it. Again, you are denying it for the wrong reasons because you are denying it because you are saying that the courts will not allow this. Looking at that as the legal opinion, it is quite confusing to me. On two previous occasions, first on November 14th and then December 21st, the Township did not express that or we could have not wasted as much time as we have. I personally disagree with you. I think we can all agree that these are the proper and correct revisions that will make improvements for the Township. Ultimately, this development gets turned over to the Township. We should be following these revisions. Thank you for your time.

BERNIE NEUWIRTH (Falck Rd.), when Mr. Victor's plan first materialized several years ago, the people on Falck Rd. submitted a petition to the Board asking that Falck Rd. not be utilized for access to this plan either during, or after construction. We are currently a dead-end road and we would like to remain that way. I would just like to reiterate our wishes to the Board today. I have copies of the original petition if anyone is interested in having another copy. I know we submitted it earlier, but some of the Board members have changed. We have 100% agreement on residents. If there are any questions or you need a new petition, we will be happy to do that as well. Our desires

and position has not changed. We do not want to be connected to Stafford Park in any way, shape or form.

LINDA JAKUBEC (539 Meade Dr.), I am here to ask what process is being used or has been used to fill the vacant commissioner seat? Mr. Abatta, in a recent newspaper quote, you were wondering why the people were questioning the word "transparency". The replacement process so far is a good example of lack of transparency. Why wasn't the open position posted? Why were there no public interviews? Is the Board looking for the best candidate or has a candidate already been chosen behind closed doors? What are all the secrets and why is everything done behind closed doors. Another example of you and Mr. Mapel's lack of transparency was your refusal to participate in an election debate. Once again, I am not sure what we are hiding. It is obvious to me that the most logical thing to do would be to appoint Mike Malinsky to the vacant seat. Mike came in 3rd in the November election, but in fact he was second with the walk-in vote, but fell to 3rd place when the absentee ballots were counted. In addition, Mike is a highly qualified candidate. He has an accounting degree. He is a CPA. He has broad business experience and most of all, the citizens of Robinson Township know who he is, know his background and highly supported him during the recent election. If my memory serves me Mr. Abatta, you were appointed to your first term and the process included a public posting of the position and public interviews. I am just wondering why the same process is not being followed or if it will be. I think the citizens really deserve an answer.

FINANCE UPDATE

Vice-Chairman Forquer, the balance in the general fund account as of this morning was \$4,163,700. Our balance forward at the January 9th meeting was \$4,351,500. Although we still have high unemployment and we have not recovered from the serious financial issues that our country is going through, we are starting to see some good signs. The January GDP was reported at 2.8% and the employment rate dropped to 8.3% from a previous 8.6%. The other thing that is still in our favor is that the weather has been fairly mild and we should be saving some money on our winter maintenance and our rock salt, which typically runs around \$400,000. The market value of the police pension fund as of the close of business day on Friday, February 3rd was \$10,030,600. That is up from the January 6th report, which was \$9,664,000. The police pension fund is funded every year by the Township and the State. Because a good portion of this is in stock funds, the account balance is subject to market conditions. If you missed our continued televised meeting on December 29th, we voted to accept the 2012 budget and to advertise the 2012 property tax unchanged at 3.05 mills. Item #17 on tonight's agenda is the Motion to pass the 3.05 millage rate for this year. We are still going through the process of arbitration with the police and hope to reach a fair settlement this year. It is also that time of year when we begin preparing for our yearly audit and we are in the process of doing that.

BUILDING INSPECTION REPORT

Mr. Urbano's report is attached for the Board's review.

ENGINEER'S REPORT

Engineer Meyer's report dated February 6, 2012 is attached.

Engineer Meyers stated that Settlers Ridge is requesting a release of their bond and also a waiver from the requirement of sidewalks on Church Hill Rd. This was reviewed by the Engineer and agreed that the cost would be extremely high to do the sidewalk. In lieu of doing the sidewalks, they are recommending that a \$20,000 payment in lieu of the sidewalks be forwarded to the Township for use on other projects. These are Items 21 and 22 on the agenda.

Item #20 is McCormick Farms bond reduction request, which is recommended by the Township Engineer.

Item #15 is Bayer Parking Lot Addition and has been recommended for approval by the Planning Commission.

Item #16 is Stafford Park and the Planning Commission has recommended a denial of the changes to the court approved plans.

2011 Road Program: Due to time and weather constraints, the contractor has agreed to hold their prices and they will complete the work in the spring.

Chairman Abatta, some of the roads that we are talking about were supposed to have been done last year, but we ran out of paving time. They will start up again in the spring.

Engineer Meyer responded, probably in April, but that is something we will have to look at. It will be weather dependent.

2012 Road Program: Will be started earlier this year since the funding is in place. Bidding should begin in late spring.

Developmental Inspection: A meeting was held on site for The Oaks. At the meeting Mr. Homer agreed to the replacement of the asphalt. A cost estimate was sent to Mr. Homer with the improvements. A paving contractor did inspect the site and stated that the way the asphalt is right now, it would also have to be milled. The Township is in agreement with that. Mr. Homer stated that he will be looking at other contractors to see if he can get a better price and would hope to start this work in late spring or early summer.

Chairman Abatta questioned, I would like to check with the Solicitor on this, but I believe there is some type of agreement he will need to complete that he agrees to come on board, specifically with the paving contractor piggybacking off of the Robinson Twp. road program?

Solicitor Garvin, I believe the contractor either has or will give him a price. If he agrees to that price, then it is between him and the contractor in terms of payment and the performance of the work.

Commissioner Mapel questioned, with regard to the waiver for the Settlers Ridge sidewalk issue? This number, where did it come from and how was it arrived at?

Mr. Urbano, they made a donation in lieu of due to the lack of ability to put a sidewalk in along Church Hill Rd. because of the recommendation from the Township Engineer that it was almost impossible to be done.

Commissioner Mapel, so it would not necessarily be just sidewalks? We may be considering retaining walls or other structures that would facilitate that.

Engineer Meyer, absolutely, if they had to put the sidewalks in it would have been a massive amount of grading if it could have been done. It would have been going into what may or may not be considered partial wetlands and partial stream. They would have had those environmental concerns and possibly would have to hard pipe some of it. There definitely would have had to be some retaining walls. This would not be just a simple putting down sidewalk by any means. We did not go into any pricing as to how that would be, but it sounds costly.

Commissioner Mapel, sounds like \$20,000 is a pretty good deal for them isn't it?

Engineer Meyer, as opposed to putting that in, not even close.

Commissioner Mapel, do you agree Mr. Urbano?

Mr. Urbano, yes, I agree.

Commissioner Mapel, would it be appropriate to maybe go back to them and renegotiate that decision?

Mr. Urbano, that is the Board's decision. That was a voluntary amount that was given to me, by letter for the Board.

Commissioner Mapel, also, I think it is appropriate that Mr. Meyer expound a little bit upon the reasons for the motion regarding Stafford Park.

Engineer Meyer, one of the things that we discussed as far as engineering issues at the first meeting, I did not have any with the first two items. That was stated at the time. The third issue, I still have concerns with the basin bottom of whether there is coal in there or not. I have had three different plans from an existing conditions plan that was originally supplied to us from a boring that showed different elevations. None of those seem to match up. I have the new plan that was submitted which has an existing surface of 1118. The approved plan, which was dated 5/23/11 has an elevation of 1122. The borings which, I don't have that available right now, but I believe it was almost 94 and has a top of surface elevation of 1112.9. There are a lot of discrepancies within those and the boring did show there was a coal seam approximately 2.5 ft. below grade and 3 ft. deep. I still have concerns as to whether there is coal under that basin or not. We had sent something to DEP and there was an email response where they stated that their belief is that the report filed by PS&R is accurate. They do not give any reasons why they think it is accurate, even though I raised the question of the elevations. I still have those same questions regarding the coal.

Chairman Abatta, just for the record, Mr. Forquer will be the delegate for the Cambpells Run Flood Committee.

POLICE DEPARTMENT UPDATE BY CHIEF VIETMEIER

Chief Vietmeier, for the month of January, the Police Department answered 764 calls for service which included 71 alarms. That is a high number and it is very concerning to me. It puts an officer in jeopardy each and every time we go to an alarm call. I am going to request that the commercial people have a testing and make sure their service is checked. We cannot be responding to numerous alarms. We encourage everyone to keep up with their alarm systems. We had 52 auto accidents, which is normal for the month. We lost a police car in December responding to an emergency call on December 17th. There was black ice and the police car was totaled. The Township has received compensation from the insurance company towards that. Fortunately the officer was not injured. We put 24, 435 miles on our police cars last month..

We have started now with mandatory training, which is a state requirement. In February and March we will do the mandatory training for first aid and CPR, so that we are all in compliance.

One thing that I would like to say, something very good happened that makes me feel very proud within the police department. We typically go to a crime scene and there is no fingerprints or evidence whatsoever. Each and every one of our officers are well trained and respects when a person is a victim. In 2008 when I was President of the Allegheny County Chiefs, we had a major backlog in the Allegheny County Medical Examiner's office. That included fingerprinting, crime scene processing, firearms tracing and drug evidence. Dr. Williams is a very good friend of mine and he has turned that lab around. We are getting our evidence back quicker, which is helping us solve our crimes through the district attorney's office and Mr. Zappala. We started a program with the

fingerprint analysis section and it is based out of the Northern Regional Police Dept. Mr. Zappala funds that, along with the Medical Examiner's office. Normally when we have a scene and we process something it takes months or even a year or more to come back. The time frame has really picked up. Our Department made the highlights in 2011 and that is what makes me the most proud. The officers are very diligent in what they do and try to collect and preserve the evidence as much as possible. We had a bank robbery in early 2011 and the gentleman who held up the bank dropped a note. Just by meticulously picking that up and not touching it in any way, we were able to have it analyzed in less than a month. We made an arrest, the gentleman confessed to it, as well as two other bank robberies. It was really a good feeling to know that we are trained well and we can utilize that. This was obviously a serial bank robber. I am very proud of the department and what they have done.

ADMINISTRATIVE UPDATE

Mgr. Bibro, just a reminder to the residents that if you have any issues Township related, your first step is to call or email me and I will try to work through your problem. Also, we talked about the energy grant that we received from the County. We are finally seeing some of the results from that. The County has given us about \$125,000 worth of energy upgrades throughout the building. We have new lighting, as well as toilets and faucets. We are going to reduce our usage significantly in 2012 compared to prior and moving forward. It took a while to get the money, but finally the results are here. A company is coming in tomorrow to seal our doors and increase the efficiency. The Township only had to spend \$13,000 to get \$120,000 worth of improvements.

Chairman Abatta, I would like to stress if residents have an issue and they come to the meetings, I want to commend you for getting them an answer to their problems. It starts with you and filters all the way up to us. I appreciate you being on the ball here and getting answers in a timely fashion. It would be nice if we could answer every question and comment the same night it is brought up, but that is not feasible. I appreciate your answering in a timely manner.

Mgr. Bibro, thank you Mr. Chairman. We do have a comment and question section that is a new feature on our website. You can remain anonymous if you would like or if I have your name I can respond and help you out. I do my best to respond, but sometimes an investigation is necessary. I get some pretty interesting emails.

Chairman Abatta, any of the Commissioners can be reached by email at any specific time. Our email addresses are on the website. I check mine daily and I am sure the other Commissioners do that as well.

MOTION Forquer, Second Mapel to approve the December 2011 Treasurer's Report
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.
M/C 3-0 to approve.

MOTION Forquer, Second Mapel to approve the January 2012 Treasurer's Report.
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.
M/C 3-0 to approve.

MINUTES

MOTION Forquer, Second Mapel to approve the Board of Commissioners Continued Reorganization Meeting Minutes dated January 23, 2012 as submitted.
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.
M/C 3-0 to approve.

Please be advised that the Board of Commissioners conducted an Executive Session on February 6, 2012 from 5:30 p.m. to 7:00 p.m. to discuss legal and personnel matters. The Board will take official action, if any, from this Executive Session at the Regular Board Meeting on February 6, 2012.

OLD BUSINESS

NEW BUSINESS

MOTION to adopt Resolution No. 4 of 2012 of the Township of Robinson, Allegheny County, PA whereas, 44 CFR Part 201 Hazard Mitigation Planning, establishes criteria for hazard mitigation planning authorized by §322 of the Stafford Act, as amended by §104 of the Disaster Mitigation Act. Section 322 of the Disaster Mitigation Act of 2000 mandates that Allegheny County prepared, maintain and keep current a hazard mitigation plan for evaluating the County's hazards, identifying resources and capabilities, selecting appropriate actions, and developing and implementing mitigation measures to eliminate or reduce future damage from those hazards in order to protect the health and safety, and welfare of residents within Allegheny County.

Gary Bane (Deputy Emergency Management Coordinator for Robinson Township), I am working with Brian Jazudek. This is basically a housekeeping issue. Every five years Allegheny County has to have 100% compliance with all of the municipalities in Allegheny County and in return, all of the Counties have to comply in order for the State to be in compliance. This was supposed to be done in 2010, but they just adopted it and approved it in 2011. By using the County's plan, we do not have to write our own. Once we have our Resolution for the Township, if we have a creek that floods every year repeatedly, we want to try and get money from FEMA, PEMA or whomever, to try and dredge out the creek to try and minimize any damage. We need to have a Resolution adopting the Township's mitigation plan.

MOTION: Mapel, SECOND Forquer
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.
M/C 3-0.

MOTION to adopt Resolution No. 5 of 2012 of the Township of Robinson, Allegheny County, PA expressing opposition to the ongoing court-ordered reassessment and asking the Court of Common Pleas to stop the process immediately; calling upon the Governor and General Assembly to impose a statewide moratorium on singled-out, court-ordered county reassessments; and calling upon the Governor and General Assembly to enact comprehensive legislation that provides for a uniform statewide system for establishing property values among all counties in the Commonwealth so that all residents, businesses, governments and school districts are afforded stability, certainty and fairness.

MOTION: Mapel, SECOND Forquer
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.
M/C 3-0 to approve.

MOTION Forquer, SECOND Mapel to approve the Bayer Building 16 Additional Parking Site Plan as recommended by the Planning Commission.
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.
M/C 3-0 to approve.

MOTION to deny the November 30, 2011 application of Stafford Park LLC for three (3) waivers (a. Replace required concrete pipe with ADS HDPE pipe, b. Correct a drafting error and c. Raise the elevation of a detention basin) from its deemed approved Plan on the basis that the Board of Commissioners has no authority to make any modifications to a Plan that was approved by the Court and not the Township of Robinson. The denial of the third waiver request involving the raising of the elevation of the detention basin is also based upon conflicting soil borings and conflicting elevations of the existing grades in the proposed basin area.

Chairman Abatta, Solicitor Garvin, can you expound on this?

Solicitor Garvin, I believe we have already had some discussion on this based upon what Mr. Meyer indicated on his engineering report. He had significant problems with the conflicting soil borings and conflicting elevations of the existing grades in the proposed basin areas as he explained. I think Mr. Urbano also accurately described the legal issue that was brought in front of the Planning Commission to discuss with them concerning the deemed approved plan. I am not certain that there is any more that I can add that has not already been addressed.

Commissioner Mapel, we are not currently in litigation with Mr. Victor correct?

Solicitor Kamin responded, no.

Commissioner Mapel, then I can speak to this.

Solicitor Kamin, I believe that you are going to end up with a potential litigation, so the mere fact that the suit has not been filed, I don't know

Mr. Victor spoke from the audience, I can tell you that I am not suing. I am going with whatever decision that you make. It sounds like the direction that you are headed is that I will just build the plan as approved.

MOTION Forquer, SECOND Mapel.
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.
M/C to approve denial

MOTION to adopt an Ordinance of the Township of Robinson setting the tax millage rate for the year 2012 at 3.05 mills.

Mgr. Bibro stated, I would like to point out that we are 108 out of 130 communities in Allegheny County.

Chairman Abatta, it is safe to say that we are on the bottom 10% of the millage rates throughout Allegheny County?

Mgr. Bibro, that is correct.

MOTION Forquer, SECOND Mapel.
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.
M/C 3-0 to approve

MOTION to advertise the Board of Commissioners Caucus Meetings at 6:00 p.m. on the first Monday of every month in 2012 with the regular meeting to immediately follow.

MOTION: Forquer, SECOND Mapel
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y
M/C 3-0 to approve

MOTION to direct the Robinson Township Civil Service Commission to initiate the police testing process in order to establish a new list of police officer candidates.

Chairman Abatta, this does not mean that we are hiring new police officers. This is just a process that we have to do every two years to bring our list up to date to stay within compliance.

MOTION: Mapel, SECOND Forquer
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.
M/C 3-0 to approve

MOTION to approve bond reduction #4 in the amount of \$533,192.30 reducing the bond from \$889,435.83 to \$356,243.53 for McCormick Farms Phases I, II and II (Bond #92936058) as recommended by the Township Engineer.

MOTION: Forquer, SECOND Mapel
ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.
M/C 3-0 to approve.

MOTION to grant a sidewalk waiver to CBL Properties for the Settlers Ridge Development regarding proposed sidewalks along Church Hill Road due to excessive grading and topography concerns. In lieu of the construction of the sidewalks, CBL Properties has agreed to a one-time payment to the Township in the amount of \$20,000.

Mr. Urbano, if you look at the next item, this is the last item that remain to be released on the bond. They are in the process of selling Phase 2 to another developer. I don't know if we want to ask them for more money. I think they made an offer to us so they can clean this up and move on. They could have approached us for a bond reduction and asked us for a straight waiver. It is up to the Board if you would like to pursue more money. I want everybody to understand that was a voluntary letter to the Township so they can sell Phase 2.

No Motion was put forward by the Board.

Solicitor Kamin stated, if item 21 of the agenda fails due to lack of a Motion, I don't know that you can vote on item 22 because of the inter-relationship

Chairman Abatta, let me be procedurally correct. Let me read the Motion, call for discussion and if it is the Board's intent, let it stay where it is.

Solicitor Kamin, let me confer with the Township Engineer for one moment. May I make a suggestion, Mr. Meyer suggested that we act on this with everything except the sidewalk. Between today and tomorrow, when we have our continued meeting, he will come up with a number for the sidewalk so that you will have a different number than \$971,360. I know that your next item is continuing the meeting until tomorrow night. If you can continue that, we can probably have a motion with a number in it. I am going to ask you to table Motions 21 and 22 until tomorrow's continued meeting. You will have exact numbers and you can figure out what it is. Looking over the Robert's Book of Rules since tomorrow will essentially be the same meeting, I am not sure if table is the exact correct technical term for what we are doing. I think the answer is that we will act on it at tomorrow's continued meeting.

Chairman Abatta, I have two addendums to the agenda.

MOTION to adopt a Resolution of the Board of Commissioners of the Township of Robinson, Allegheny County, PA appointing _____ as Commissioner to the Township of Robinson to fill the unexpired term of Stephanie Triko.

Commissioner Forquer, I wish to nominate Bobbie Cegelski.

MOTION Forquer, SECOND Mapel to appoint Bobbie Cegelski as Commissioner to the Township of Robinson, Allegheny County, PA.

ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.

M/C 3-0

MOTION to hire Neel Cherukuri for the Administration Department at a rate of \$11.00 per hour and not to exceed 24 hours per week on an as needed basis.

Chairman Abatta, the reason we are going in this particular direction is because of some extra needed help in our payroll department.

MOTION Mapel, SECOND Forquer.

ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.

M/C 3-0 to approve.

COMMISSIONERS COMMENTS

Commissioner Mapel, as we have spent most of our time over the past 2 months filling vacancies, I have not had an opportunity to acknowledge and congratulate our appointees. Commissioner Mapel welcome all appointees to their positions.

Commissioner Mapel, Over the past several weeks, I have had discussions with Chief Vietmeier and Lt. Krall regarding some of the needs and thoughts that are ongoing regarding how efficient the Department is operating. We received a very good report tonight. I am encouraged by some of the things that are going forward with respect to the efficiency. We have discussed many things, but I am not prepared this evening to get into the details of it until we have more opportunities to discuss affordability and some of the other issues that come into play with respect to some of these concepts. We said that we would think out of the box with respect as to how we can do things better and streamline our operation and do it efficiently. That is what is in mind with respect to the discussions going on with the Police Department and myself. I am encouraged that we are headed in the right direction and I will keep you posted as things occur. I also would like to express my gratitude and thanks to those who did express an interest in this vacated seat this Ms. Triko was formerly occupying. I was somewhat taken at a loss for what to say at our last meeting, not having any preparation for what we experienced. However, I am disappointed. I can only say that I am not prepared to stand in judgement of others who make choices on their own behalf. I am disappointed that she was not able to fulfill her obligation and responsibility and commitment to the residents of this

Township that she took an oath of office to uphold. I am not going to stand in judgement. That was her call and I respect that. I wish her nothing but the best in her future endeavors.

There seems to be an increase in a request for Right to Know as time goes forward. I would be the last person to censor a person's right to free speech for information, but I will say this. I think it is the obligation and responsibility of all citizens and residents of this Township to act responsibly. With many people expressing concerns for our financial situation, the very last thing we want to do is create an additional financial hardship by bringing to bear additional man hours to go through records, records, and more records to produce information that is taking people away from the jobs that they have before them. I would say, please act responsibly with fairness in mind when you burden the Township officials and employees with these right to know requests. Also, I would like to commend the Montour Football team for their tremendous accomplishments over this past year. We have wonderful resources in this Township, and our youth is certainly among them. They are to be commended for their wonderful performance, along with the coaching staff as well. Finally, I would like to welcome Bobbie Cegelski on to the Board. I have no doubt that as I have reviewed her qualifications, that she will make a fine addition to this Board, working in conjunction with the existing members and the Township administration and personnel. I am convinced that she is the right choice. I have little doubt that others who expressed interest are well qualified and I commend you for your interest and willingness to serve. I refer to the First Class Township Code with respect to Ms. Jakubec, or is it Mrs. Sues", I am not sure?

Ms. Jakubec responded, "Jakubec"

Commissioner Mapel, I am comfortable that we have done things with respect to making that decision conscientiously and with respect to what will function as efficiently as it possibly can on behalf of the Township residents. With that said, Mr. Chairman...

Chairman Abatta, in Commissioner Shiwarski's absence, I will be relaying his comments. After reviewing the applications and resumes of the candidates for the vacancy of this Board that was created upon the sudden and unexpected resignation of Commissioner Triko, I wish to thank all who applied, but I can support one candidate. This candidate has devoted much of her adult life to helping individuals reach their highest potential, a trait that I am sure will be applied to helping Robinson Township.. She has furthered her advanced education by taking many leadership classes and has played pivotal roles in many contract negotiations during her 15 years as an executive member of the teachers union. She has always told her students to give back to the community in which they live. She has been a resident of Robinson Township since her youth and shares my belief that your political party should not steer your actions, but the betterment of your Township should be the beacon that we follow as Commissioners. She has been active and involved in many aspects of our community, including a strong affinity for our library's role in that community. I have done my due diligence as a Commissioner. I

went through the vetting process and she has come out on the end unscathed. I am out of state for a business convention, but I want it to be known publicly that my support is based on the talent of the individual and not a political appointment. It is my goal not to have chairs on the Board filled with red or blue, but concerned, compassionate individuals regardless of gender or political party. I do not take lightly the responsibility of selecting a person to till this term, but I strongly believe that Bobbie Cegelski will more than adequately serve the Robinson Township residents. Therefore, I vote in the affirmative for the appointment of Bobbie Cegelski as Commissioner of Robinson Township and look forward to working with her and the rest of the Board to carry out the mandate of our residents.

Vice-Chairman Forquer, I am the representative for the Congress of Local Governments. Chairman Abatta and myself attended the last meeting on January 19th. Allegheny County Executive Rich Fitzgerald was at that meeting and spoke about the Motion that we actually passed tonight and how unjust the overall assessment has been. It does not make for a level playing field with business. The next meeting will be held on February 16th in Carnegie. On some other issues, in May 2011 I pointed out how unjust it was that people in our Township were paying approximately \$90,000 per year to run the Treasurer's office, which only collected \$4 million in taxes for our Township. Although the office did collect \$24 million for the school district, Ed Ritter never negotiated a contract with them and was being paid a minimum amount to collect school taxes. I want the public to know that our Township Manager, Aaron Bibro, did a lot of research regarding the legal funding requirements of the office of the Treasurer and the amounts that other Townships were paying their treasurers. Aaron explained to Treasurer Ritter during the November 21st budget workshop that the Treasurer's office budget was going to be adjusted accordingly and what his opinions were. It had become common knowledge that our Treasurer's office was only collecting the one tax and was over-staffed. Our audit revealed the office's operation costs over 6 years could have been cut conservatively by about \$400,000. The good news is that Doug Perkey, our new Treasurer, is going to operate the Tax Office and be paid according to the state guidelines. With Doug as our new Treasurer, we should save about \$70,000 per year. We all wish him success.

You will be hearing about some very serious issues dealing with tax increment financing districts associated with the mall at Robinson and with the peripheral businesses in that area. These issues were unearthed as a result of an audit that I requested by our Township Financial Manager. At my request, our Manager, Financial Manager and myself met with the Montour School District Administration and informed them of our findings concerning the TIF issues. The purpose of that meeting was to establish a joint cooperative effort to resolve TIF issues of common interest. Our Township is moving forward to resolve the serious financial issues associated with the TIF bonds and we hope that the other taxing bodies involved will follow our lead.

Finally, I would like to set the record straight on some important issues. The last republican has not left the Board as long as I am here. I have some things written here, but I am going to diverge from that tonight. I was one of the ones back in 2007 that was nominated for the seat vacated by Commissioner Marks. I don't remember if it was advertised as a public meeting, but if it was, it was in the conference room. That is where I was interviewed, along with everyone else. There were three republicans nominated and I was one of them. Concerning what happened after the election when I was elected here is another story. I have had anything but cooperation from my own party. I have been physically threatened, attacked in letters to the editor, one of them written by one of the people who had an application in here to be appointed as a Commissioner. If I am going to sit next to somebody on this Board, I want to be comfortable with them. I will tell you another thing, I am one vote up here and I am going to make a vote for somebody that I think is going to do a good job here and that I believe will work with the rest of the Board. That is what I did and I am not making any excuses for it. The other thing is, I would like to point out the differences between 2007 and now. We had two people that walked off their jobs on this Board. They were elected. You had two republicans up here. Mr. Ritter decided to winter in Florida and even when he was here, he was not here. As I said, his office was over-staffed. This idea that he was doing the job for nothing, maybe he was, but he was not in the office that much and we were spending way more than we should have for that operation. Concerning Stephanie, she was more or less a tv personality.

Mr. Malinsky objected from the audience and left the boardroom.

Commissioner Forquer continued, I have never written one letter to the editor that was not absolutely true that I could not produce documents to show. No wonder people don't want to run for Commissioner in this Township when you have to operate under circumstances like that. The first thing I heard up here was that I was not controlling spending. I pointed out that Mr. Ritter had made a mistake in his financial report. He had understated the budget by \$153,000. The next thing you know there is a letter to the editor in the Post-Gazette saying that it won't make a difference at the end of the year. Well, I think that it does. It is a frustration. In closing, Dan we miss you here and God Bless America.

Chairman Abatta explained how both meetings will be held on the first Monday of the month. The caucus meeting will begin at 6:00 p.m. with the regular meeting to immediately follow. Everything should be run in a more business-like fashion. Nothing else will change.

I will like to thank all of the residents who expressed an interest in serving their community by submitting letters to the Township. I can tell you that all of the choices have been reviewed by all of the sitting Commissioners. This is a decision that has been made by the Board as outlined in the First Class Township Code, Section 503G Vacancies in Office. Without being redundant, I read this last month, I am going to make

it part of the record again today. This is the process that we use to select whenever there is a vacancy.

Vacancies in Office: “When a vacancy occurs in the office of township commissioner, auditor, controller, treasurer, assessor, asst. auditor or asst. tri-annual assessor, any Township by reason of death, resignation, removal from the township or ward or otherwise, the Board of Township Commissioners of such Township shall fill such vacancy by appointing by resolution, a registered voter of the ward or township as the case may be in which the vacancy occurs..”

I want to conclude by saying, “in all cases, the person so appointed, shall hold the office of the term thereof to continue so long until the first Monday in January after the first municipal election occurring more than sixty days after the vacancy occurs, at which election and eligible person shall be elected for the remainder of the term and shall have been a resident of the Township continuously for at least one year before his or her appointment.”

Chairman Abatta, this was from the First Class Township Code. It was not a random decision. This was followed. Our Township residents have put their trust in the governing body to make the correct choices for the overall benefit of all of our constituents. I realize that this was the right decision. This was not a rash decision, but one that was made with considerable thought. It makes no difference to me what anybody’s party affiliation is, what matters is that the individual is committed to serve each and every resident for what is best overall. It is with great honor that I have elected to support Ms. Bobbie Cegelski to fill the remaining term as commissioner of Robinson Township. I look forward to working with her on all issues in carrying out her duties for the betterment of Robinson Township. She is a lifelong resident of Robinson Township, who is actively involved in many community undertakings. She is a college graduate with a B.S. in Education and has accrued graduate credits beyond her certification. She is currently employed as a teacher in the Montour School District and is Coordinator of Gifted Services. She has been employed for 30+ years. She is a member of many professional organizations, as well as President of the Montour Education Association. I put my heartfelt trust in Ms. Cegelski and I would like to welcome her to the Board.

In closing, I am going to give a very short Parks Report. The Parks Board has recently reorganized and I would like to congratulate Jane Tallon as Chair, Diane Freese as Vice-Chair, Beth Crawford as Secretary. The other members are: Janet Hammer, Norma Rozman, Mary Ann Johnson and Mike Migliozi. The following events have been scheduled: Easter (April 7 at Clever Shelter from 1:00 to 3:00 p.m.) Flea Market (Burkett Park on May 19th from 8:00 a.m. to 12:00 noon), Summer Recreation (June 18th thru June 29th at Clever Park) Autumn Festival (September 15th from 12:00 noon to 10:00 p.m. at Burkett Sports Complex), Halloween (October 27th from 12:00 noon to 2:00 p.m. at Clever Park), Christmas Celebration (November 30th at 6:30 p.m. at Clever Park). The Township website will provide additional information on all community events.

EXECUTIVE SESSION

None.

MOTION Mapel SECOND Forquer to continue the Board of Commissioners Meeting to February 7, 2012 at 6:30 p.m.

ROLL CALL: Mapel-Y, Forquer-Y, Abatta-Y.

M/C 3-0 to continue meeting.

Respectfully submitted,

A handwritten signature in blue ink that reads "Carol Merks". The signature is written in a cursive style with a large initial "C" and "M".

Carol Merks
Secretary