

BOARD OF COMMISSIONERS REGULAR MEETING
MONDAY, AUGUST 4, 2014
7:00 P.M.

CALL TO ORDER: Chairman Samuel Abatta called the meeting of August 4, 2014 to order at the Municipal Complex, 1000 Church Hill Road at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mapel-Present, Barefoot-Present, Kisow-Present, Shiwarski-Absent, Abatta-Present. Also in attendance were Attorney Jack Cambest, Mgr. Silka, Treasurer Kezmarsky, Planning Director Urbano and Mrs. Merks for the purpose of recording minutes.

TOWNSHIP ENGINEER'S REPORT (Report dated August 4, 2014)

Capital Projects:

Engineer Meyers reported as follows:

CDBG Year 40 – final application has been submitted for remaining 2nd floor bathroom. They are awaiting formal direction from the COG.

Baldwin Rd. Ext. Landslide – the field samples have been completed and soil testing is underway. We are awaiting the results of their finalized report.

Robinson Town Center Blvd. Drainage Study – the analysis has been completed with a list of alternatives and cost estimates being forwarded to the manager.

2014 Road Program – A pre-construction meeting is scheduled for July 22nd. The notice to proceed has been issued for August 4th.

Burkett Park Field Survey – work has been completed and findings have been forwarded to the Township Manager.

Fawnvue Dr. Storm Sewer – a meeting was held last week with the Township Manager and Supervisor Bonkowski to discuss some preliminary alternative designs.

Moon Run Swale – estimates have been received for conducting soil testing in the area for possible disposal options from a testing company.

Developmental Inspection

ISC – the developer is continuing to work on the site.

Don's Appliance – the contractor is continuing to work on the site.

Penn Center West Bldg. #1 Parking Lot – the contractor has completed the work at this site. A final inspection for be scheduled for bond reduction.

Stafford Park I and II – the developer has completed the base paving in Phase II and is reconstructing various portions of the roadways in Phase I.

Montour Elementary School – the contractor has started clearing and grubbing work at the site. Compaction of existing loose fill material at the site has been completed by the contractor.

Providence Presbyterian Church – The developer is waiting on financing prior to starting work.

Hilton Garden Inn – a pre-construction meeting was held on July 11, 2014. Contractor has completed the milling of existing asphalt parking lot.

West Peripheral Hotels – a pre-construction meeting was held on July 15, 2014.

Developmental Reviews

Penn Center West Building #9 – the applicant has met to discuss the timing of the county improvements on Campbells Run Road.

Two Marquis Plaza – the site plan was approved at the June Board of Commissioners Meeting.

Arbor Trail Subdivision – review of the preliminary and final subdivision plans have occurred. Preliminary plan for Phase I and Final plan for Phase 2 were recommended for approval by the Planning Commission on July 17, 2014.

Kisow Plan of Lots – review has been completed. The plan was recommended for approval by the Planning Commission on July 17, 2014. There are many submission waivers for this project. This is similar to the Young-Devenzio Subdivision which was approved four to five months ago. It is a area of "weakness" of the ordinance in that there is not a good definition of a simple subdivision. It is actually too stringent. That is why the Planning Commission and Remington, Vernick & Beach recommended these waivers be granted. With the new ordinance to be looked at, one of the things that we

are going to start doing is if the Board of Commissioners grants waivers for certain items, we are going to keep track of those and send those off to the manager so that we have that list when we go to do the ordinance and we see an inordinate amount of those waivers. We will know that is something that has to be fixed.

Brandy Mill Woods Site Plan – plans are currently being reviewed.

The Ridge at Robinson Site Plan – plans are currently being reviewed.

Chairman Abatta, seems like there are a lot of good things happening and we are moving on. Quick question on the road program, how definite are we for an August 4th start date?

Engineer Meyer, I would not say that is their actual start date, but that is the date that we gave as a Notice to Proceed so that they have sixty days to complete their contract. The last we had talked to them, it will probably be the middle to end of August.

POLICE REPORT

Chief Vietmeier submitted a copy of the July Report, which is attached to the minutes.

ADMINISTRATION UPDATE

Manager Silka, first of all, I had the privilege to accompany the Chairman to ACTA's grand opening of the super stop at the IKEA facility in Robinson Township. It has been a really nice public improvement to the bus stop area, a bike service center and some traffic pattern changes to help make the area more accommodating to multi-modal transportation uses and help the access in and out of the IKEA store. That was a project that was done for the Township. We will eventually have all of the improvements, but we spent absolutely nothing on the project. It was ACTA getting a state grant and IKEA and PNC Bank putting forth money into that project to make that improvement worthwhile. That improvement was so important that Gov. Corbett was there to give some opening remarks, as well as various state, local and county representatives. If you have not had a chance to see it, I would suggest going up to the IKEA area and seeing the new bus stop area and traffic patterns.

In regards to the comprehensive plan/zoning ordinance update, we are hitting some critical mass here as we did do the RFP for the Planning Consultant. We did receive three (3) RFP's. We are in the process now of reviewing those and we will put together some meetings and presentations of the perspective consultants so we hope to have them approved and coming on board as of the October meeting. That process is starting to heat up and hopefully we will start our work here coming up towards the end of the year.

The RFP for insurance broker service was received. We did receive four RFP responses. We will be meeting with some of the perspective brokerage firms through the end of this month, hopefully to have a recommendation for the September meeting.

The floodplain ordinance update, we have on the agenda tonight, the approved floodplain that was approved by FEMA, as well as DCED and if and when that is approved, we will submit that to FEMA for their final approvals. That will make the Township compliant with the new map changes and allow the FEMA flood insurance to stay in effect for Robinson Township. That will have us fulfill our municipal responsibility.

The television and video problems that we have been having the past two months, they are fixed, so this meeting will be recorded and we are back to our regular programming. The August meetings will be re-broadcast. We did talk about changing the September meeting date and that will be coming up on the agenda since our meeting does fall on the Labor Day holiday.

The 2015 Budget process will be starting during the months of August and September in order to get our 2015 budget in place to be ratified.

TOWNSHIP SOLICITOR'S REPORT

Solicitor Cambest had no report.

FINANCE REPORT

Finance Officer Kezmarsky gave the July 2014 Treasurer's Report.

THE BOARD OF COMMISSIONERS CONDUCTED AN EXECUTIVE SESSION ON AUGUST 4, 2014 FROM 6:00 P.M. TO 7:00 P.M. TO DISCUSS LEGAL, PERSONNEL AND POLICE COLLECTIVE BARGAINING MATTERS. THE BOARD WILL TAKE OFFICIAL ACTION, IF ANY, FROM THIS EXECUTIVE SESSION DURING THIS MEETING.

OLD BUSINESS

Discussion to approve the July 7, 2014 Board of Commissioner's Meeting Minutes.

Discussion to approve the July, 2014 Treasurer's Report.

Discussion to approve the July, 2014 List of Bills.

NEW BUSINESS

Chairman Abatta, at the conclusion of me discussing every one of these particular soon to be motions, I am going to ask Mr. Urbano to enlighten us a little on this one particular project, the Arbor Trail. If you can hold your questions until the end, if you have any.

Discussion to approve a motion granting a waiver from the cul-de-sac length requirement for length of proposed cul-de-sac on Arbor Trail Drive (Phase 1) §250-47.G as recommended by the Planning Commission.

Discussion to approve a motion granting a waiver from the cul-de-sac length requirement for the length of proposed cul-de-sac on proposed road (Phase II) §250-47.G Arbor Trail, contingent upon the construction of single family homes only in Phase II as recommended by the Planning Commission.

Discussion to approve a motion approving the Arbor Trail Preliminary Site Plan as submitted contingent upon completion and signing of the Development Agreement as recommended by the Planning Commission.

Discussion to approve a motion accepting a waiver from Grading requirement for HDPE pipes under pavement instead of RCP pipes (§146-23.E) for Arbor Trail as recommended by the Planning Commission.

Discussion to approve a motion accepting a waiver from Storm Sewer requirement for minimum of 1% grade of pipe (§250-54.A) for Arbor Trail as recommended by the Planning Commission.

Discussion to approve Arbor Trail Phase I Final Site Plan Application subject to the preparation and execution of a Developer's Agreement with the Township.

Chairman Abatta, it seems like a lot of waivers have to be voted upon today. If you can just explain why they have to be handled in separate motions here?

Mr. Urbano, the key to this, and I understand your concern about this because we have not done a phased development like this in probably ten years. We are doing a preliminary on the whole site, Phase 1 and 2. Phase 1 is in front of you for final. Phase 1 is 59 townhouses and Phase 2, which is only going to be approved under preliminary out of these motions, is going to have 30 single family dwellings and an extended road for abutting the neighbors' properties.

Chairman Abatta, talk about the district and talk about the location.

Mr. Urbano, I believe that we rezoned this property from C-4 to R-3 for the reason that we thought this was the perfect use for this fit for townhouses. As you all know, in the R-3 we can also put single family. Mr. Zappala felt that there was a need for both in this district and I tend to agree with him. It is becoming a fad with mixed developments. People are trying to do mixed developments if they have the area to do it in. That is why this is a little bit of R-1 and R-2 because the whole plan is going to have preliminary approval if you approve all of these motions and Phase 1 is going to be final approved if the Board approves these motions.

Commissioner Barefoot, where the area is, we already have this going on. On Aiken Road we have single family and on the left side of the road we have multi-family. It sort of fits the Township.

Mr. Urbano, when we rezoned this property R-3, I think we made the exact right move. The location is perfectly suited for this.

Commissioner Barefoot, the only other comment that I have on that is that there is a little bit of an easement there with our two contractors. We feel that the agreement that they have, if they start the procedure correctly, they have both agreed to work together because there is another site that is going to be built. It is very small, has not been submitted as yet and nothing has been done. I talked with both of them and they seemed to be able to work together. The easement is there, so what we need them to do now, they start the procedure with the Planning Department.

Mr. Urbano, if you recall, when you came down to the Township on Friday, I was sitting there reviewing the plans for the two developers to make sure that the plans that we had in front of the Board and in front of the Planning Commission, had the easement on. It is on there and I touched base with both of the developers numerous times, they have spoken, the easement and frontage is there, all they have to do is meet the yard requirements and we will have a separate development in place with a separate developer other than Mr. Zappala. I think everything has been covered. They have a set aside agreement and I think it is a plan waiting to happen.

Chairman Abatta, do you have anything to add Mr. Zappala?

Frank Zappala (First City), our builder partner would be Ryan Homes, who has had a lot of success in this Township and in the western suburbs for many years. The townhouse prices are projected to be approximately \$190,000 to \$240,000. The single family homes are projected to be somewhere between \$285,000 to \$325,000. They are single family and are part of the Renaissance series. They are smaller lots, 40 foot wide houses. They have been a large success on the east coast and the Washington DC and Virginia markets. The townhouse models will be the Wexford and Rosecliffe, which they are building abundantly in this Pittsburgh market. They are building in Pine Twp., North Hills and South Hills.

They are extremely excited to be back in Robinson Township. It has been a bit of a hiatus for them. We are happy to be back in the Township. I would point out that we have had several meetings, a lot of direction and help from staff, as well as the engineer and I think that we have a plan that is satisfactory, workable, feasible and in the community's best interest. We look forward to proceeding.

Chairman Urbano, what time frame are you looking at?

Mr. Zappala, we are in the process of submitting one more application to the Allegheny County Conservation District, which would be the final approval that we would need. We are looking to be breaking ground in mid-October on Phase 1. We hope to work through the winter and come back in the spring for a June pave date. That would be July construction and waterline, etc. You should see occupancy in September of next year.

Discussion to approve the following waivers for the Kisow Plan of Lots 38-39 and 40 Subdivision from preliminary and final application requirement ordinances: i. §250-11-A.3n, §250-11-A.3.p, §250-11-A.3r, §250-11-A.3u, §250-11-A.3w, §250-13.F, §250-13.H, §250-13.J, §250-13.K.4.

Mr. Urbano, after a lengthy discussion with Engineer Meyer, we decided that these are all minor technicalities with our simple subdivision. I just want to back him up on what he said. We discussed that instead of putting all of these on as individual motions, we will put them on as one and cover the Township in the regard that it can be covered as a simple subdivision and not anybody take us to task. The Solicitor was at the Planning Commission meeting when we discussed this and he was in-favor of doing it this way, in fact he wrote the motion for us.

Discussion to approve the Kisow Plan of Lots 38, 39 and 40 Final Subdivision Plan (I-1) as recommended by the Planning Commission.

Discussion to approve an Ordinance requiring all persons, partnerships, businesses and corporations to obtain a permit for any construction or development providing for an issuance of such permits setting for certain minimum requirements for new construction and development within areas of the Township of Robinson which are subject to flooding; and establishing penalties for any persons who fail, or refuse to comply with, the requirements or provisions of this Ordinance.

Discussion to adopt Resolution No. 5-2014 confirming the allocation of General Municipal Millage (one-fifth of one mill- .20 mills) to the Township's fire departments.

Discussion to authorize a motion to approve the Second Amendment to the Agreement effective as of June 1, 1971 by and among the City of Pittsburgh, Allegheny County Sanitary Authority and the Township of Robinson.

Discussion to authorize the advertisement for the sale of police vehicles that are no longer in service as recommended by Chief Vietmeier.

Discussion to authorize a motion to approve the Tax Appeal Settlement in regard to BV-12-422 concerning Parcel 412-H-25 owned by Costco Wholesale corporation for \$12,844,000 contingent upon the property owner agreeing to any potential refund through tax credits.

Discussion to authorize a motion to approve the Tax Appeal Settlement in regard to BV-13-7016 concerning Parcel 150-S-148 owned by HNVR Limited Partnership/Navy Portfolio, LLC for \$1,800,000 contingent upon the property owner agreeing to any potential refund through tax credits.

Discussion to authorize a motion to approve the Tax Appeal Settlement in regard to BV-13-7075 concerning Parcel 335-J-105 owned by Greco Associates for \$1,000,000 contingent upon the property owner agreeing to any potential refund through tax credits.

Discussion to authorize a motion to approve the Tax Appeal Settlement in regard to BV-12-6534 concerning Parcel 335-A-25 owned by Park Associates for \$56,600,000 contingent upon the property owner agreeing to any potential refund through tax credits.

Discussion to authorize the approval of a contract with Pyrotecnico of New Castle, PA for fireworks for the Autumn Festival in the amount of \$3,500.00.

Discussion to authorize the scheduling of the September 2014 Regular Meeting of the Board of Commissioners for September 8th at 7:00 p.m.

Chairman Abatta, I have an agenda item.

Discussion to promote Raymond Gastner to truck driver as per the current contract language.

CITIZEN'S COMMENTS

No citizens were signed in for comments.

BUILDING INSPECTOR/ZONING OFFICER REPORT

A copy of the July, 2014 Report by Mr. Urbano is attached.

AGENDA

MOTION Kisow, SECOND Barefoot to approve the July 7, 2014 Board of Commissioners Meeting Minutes dated July 7, 2014.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Kisow to approve the July 2014 Treasurer's Report.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Mapel, SECOND Barefoot to approve the July, 2014 List of Bills.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Kisow to approve granting a waiver from the cul-de-sac length requirement for length of proposed cul-de-sac on Arbor Trail Drive (Phase 1) §250-47.G as recommended by the Planning Commission.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Mapel to approve granting a waiver from the cul-de-sac length requirement for the length of proposed cul-de-sac on proposed road (Phase II) §250-47.G for Arbor Trail contingent upon the construction of single family homes only in Phase II as recommended by the Planning Commission.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Mapel to approve the Arbor Trail Preliminary Site Plan as submitted contingent upon completion and signing of the Development Agreement as recommended by the Planning Commission.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Kisow to approve accepting a waiver from the Grading requirement for HDPE pipes under pavement instead of RCP pipes (§146-23.E) for Arbor Trail as recommended by the Planning Commission.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Kisow to approve accepting a waiver from the Storm Sewer requirement for minimum of 1% grade of pipe (§250-54.A) for Arbor Trail as recommended by the Planning Commission.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Kisow, SECOND Barefoot to approve a waiver from submitting cross sections (§250-54.A) for Arbor Trail as recommended by the Planning Commission.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Kisow to approve Arbor Trail Phase I Final Site Plan Application subject to the preparation and execution of a Developer's Agreement with the Township.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Mapel to approve the following waivers for the Kisow Plan of Lots 38-39 and 40 Subdivision from preliminary and final application requirement ordinances: i. §250-11-A.3n, §250-11-A.3.p, §250-11-A.3r, §250-11-A.3u, §250-11-A.3w, §250-13.F, §250-13.H, §250-13.J, §250-13.K.4.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Abstain, Abatta_Y.

M/C 3 Yes, 1 Abstain (Kisow)

MOTION Barefoot, SECOND Mapel to approve the Kisow Plan of Lots 38, 39 and 40 Final Subdivision Plan (I-1) as recommended by the Planning Commission.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Abstain, Abatta_Y.

M/C 3 Yes, 1 Abstain (Kisow)

MOTION Mapel, SECOND Barefoot to approve an Ordinance requiring all persons, partnerships, businesses and corporations to obtain a permit for any construction or development providing for an issuance of such permits setting for certain minimum requirements for new construction and development within areas of the Township of Robinson which are subject to flooding; and establishing penalties for any persons who fail, or refuse to comply with, the requirements or provisions of this Ordinance.

Commissioner Mapel, before we even vote on this, just for edification purposes, I was not really clear on how that information will get to the applicant, unless it is something that comes from a review from our engineer. Is that something we can talk about real quick?

Mgr. Silka, we currently have a version of this ordinance on our books. If you are building within the floodplain you have to meet the requirements of our floodplain ordinance.

Commissioner Mapel, who establishes whether it is a floodplain?

Mgr. Silka, FEMA and those maps were re-done and approved this year. They go into effect on September 23rd. We are not creating a new ordinance. What we have to do is since the flood maps were changed nationally, we have to adopt the new maps via new ordinance. Our designation has not changed. We did not create new floodplain within the Township. This is more of an administrative task to adopt the new maps as part of our ordinance.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.
M/C 4-0

MOTION Barefoot, SECOND Kisow to adopt Resolution No. 5-2014 confirming the allocation of General Municipal Millage (one-fifth of one mill- .20 mills) to the Township's fire departments.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.
M/C 4-0

MOTION Barefoot, SECOND Mapel to approve a motion of the Second Amendment to the Agreement effective as of June 1, 1971 by and among the City of Pittsburgh, Allegheny County Sanitary Authority and the Township of Robinson.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.
M/C 4-0

MOTION Barefoot, SECOND Mapel to authorize a motion to approve the Tax Appeal Settlement in regard to BV-12-422 concerning Parcel 412-H-25 owned by Costco Wholesale corporation for \$12,844,000 contingent upon the property owner agreeing to any potential refund through tax credits.

Commissioner Barefoot, just a comment on #49, 50, 51 and 52, our Solicitor has made a copy and these have all been addressed by the school which we feel as though is in line and for us as a Township to go back and appeal these would be a great expense to us and we feel as though the results would be coming back the same way and therefore we are basically riding the coat tails of the school board. They have set the expenses already and we are in agreement and have gone through the proper process with our solicitor.

Chairman Abatta, as we know, the lion's share of the appeals where the monies are, goes to the school board first, not the Township of Robinson.

Solicitor Cambest, that is correct.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Kisow to authorize a motion to approve the Tax Appeal Settlement in regard to BV-13-7016 concerning Parcel 150-S-148 owned by HNVR Limited Partnership/Navy Portfolio, LLC for \$1,800,000 contingent upon the property owner agreeing to any potential refund through tax credits.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Kisow to authorize a motion to approve the Tax Appeal Settlement in regard to BV-13-7075 concerning Parcel 335-J-105 owned by Greco Associates for \$1,000,000 contingent upon the property owner agreeing to any potential refund through tax credits.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Mapel, SECOND Barefoot, SECOND to authorize a motion to approve the Tax Appeal Settlement in regard to BV-12-6534 concerning Parcel 335-A-25 owned by Park Associates for \$56,600,000 contingent upon the property owner agreeing to any potential refund through tax credits.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Kisow, SECOND Barefoot to authorize the approval of a contract with Pyrotecnico of New Castle, PA for fireworks for the Autumn Festival in the amount of \$3,500.00.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Kisow, SECOND Barefoot to promote Raymond Gastner to truck driver at the current contract rate.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

MOTION Barefoot, SECOND Mapel to authorize the scheduling of the September 2014 Regular Meeting of the Board of Commissioners for September 8, 2014 at 7:00 p.m.

ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.

M/C 4-0

COMMISSIONER COMMENTS

Commissioner Mapel, other than wishing everyone out there a safe balance of the summer break and from Chief Vietmeier's report, it sounds like things are rather quiet which is always good. I hope that the balance of the summer break for you is safe and you are looking forward to getting back at it come fall. Other than that, I have nothing Mr. Chairman.

Commissioner Barefoot, I have no comments this evening.

Commissioner Kisow, I have no comments this evening.

Chairman Abatta, school will be starting up at the end of August and I hope that parents do the right things with their kids and keep them safe.

The 12th annual Autumn Festival will be held on September 13th at the Burkett Sports and Recreation Complex.

The 1st Robinson Township car cruise will be held on September 27, 2014 from 2:00 p.m. to 6:00 p.m.

MOTION Barefoot, SECOND Mapel to adjourn the meeting.
ROLL CALL: Mapel_Y, Barefoot_Y, Kisow_Y, Abatta_Y.
M/C 5-0.

Meeting was adjourned at 7:50 p.m.

Respectfully submitted,



Carol Merks
Township Secretary