

**BOARD OF COMMISSIONERS REGULAR MEETING  
MONDAY, FEBRUARY 2, 2015  
7:00 P.M.**

**CALL TO ORDER:** Chairman Sam Abatta called the meeting of February 2, 2015 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-Present, Abatta-Present. Also in attendance were Solicitor Jack Cambest, Mgr. Silka, Treasurer Kezmarsky, Planning Director Rick Urbano and Mrs. Merks for the purpose of recording minutes.

**TOWNSHIP ENGINEER'S REPORT** (Report dated February 2, 2015 is attached)

Engineer Meyers reported as follows:

**CAPITAL PROJECTS**

**CDBG Year 40** –The contractor is continuing to work on the 2<sup>nd</sup> floor ADA compliant woman's bathroom. They are looking at two to three weeks for completion of that.

**CDBG Year 41** – awaiting further direction from the COG to determine if they will be able to provide the grant for the ADA compliant signage throughout the municipal building.

**Fawnvue Dr. Storm Sewer** – plans have been completed for the storm sewer reconstruction. They are hoping to have a meeting scheduled this week with Mr. Bonkowski to review the drawing and that is weather dependent.

**DEVELOPMENTAL INSPECTION**

**ISC** – Developer is continuing to work on site. They have also submitted a revision to the plan.

**MONTOUR ELEMENTARY SCHOOL** – Compaction of existing loose fill material at the site is continuing along with the storm work.

**PROVIDENCE PRESBYTERIAN CHURCH** – The contractor is continuing to work at the site.

**PLEASANT VIEW CONDOMINIUMS** – a list of bonds need to be put in place for the work at Pleasant View Condominiums. The list includes outstanding bonds for incomplete work at Phase I and II along with road maintenance bond for W. Windhaven Rd. and repair of Wingate Drive. The bonds have been forwarded to the Solicitor for incorporation into the development agreement. We have been meeting to attempt to have this project finalized.

**TWO MARQUIS PLAZA** – the contractor is currently working on the stormwater conveyance. They are also looking at having some revisions to their existing stormwater pipes.

**BRANDYMILL WOODS SITE PLAN** – the review of the plans has been completed. The performance bond estimate is in the amount of \$555,876.20 for the proposed development. The bond estimate has been sent to the Solicitor for incorporation into the Developer's Agreement.

**THE RIDGE AT ROBINSON SITE PLAN** – in working with the developer. A a bond estimate has been prepared. This estimate has also been forwarded to the Solicitor for incorporation into the Developer's Agreement.

#### **DEVELOPMENTAL REVIEWS**

**ARBOR TRAIL SUBDIVISION** – meeting with the developer on February 2<sup>nd</sup> to discuss revisions to the approved plans. There are some minor revisions that need to be made to the subdivision plan.

**SCHMIDT PLAN LOT LINE REVISION** – the Planning Commission has recommended approval of the lot line revision.

**KEITH (KNICKERBOCKER) SITE PLAN** – the application as submitted, is incomplete. The applicant will be hiring an engineer in order to meet the requirements of the Subdivision and Land Development Ordinance and zoning.

**GREEN LIGHT GO GRANT APPLICATION** – the application was discussed with Chief Vietmeier and they are preparing to submit the application for grant funding to upgrade various traffic lights. A meeting will be held with Lt. Krall sometime later this week to discuss which traffic lights we would be looking at for this funding. This is a state funded program where they are trying to upgrade some of the traffic lights, whether it be LED or other items that you can have. There are a lot on Steubenville Pike which fall under the PennDOT guidance and will be able to be used. That grant will be submitted at the end of February.

Vice-Chairman Shiwarski, myself and Jerry Kezmarsky are trying to develop a metric to benchmark year versus year in regards to the budget, etc. In your opinion, are we as busy? Is there anything outstanding?

Engineer Meyer, in looking at some of the projects that we have been talking about, I would say that this year is probably busier than the last couple. When you start looking at the road program, the Fawnvue Dr. storm sewer and the other storm sewer work we are looking at, I would say that this year seems to be a little bit busier than last year and this is early in the year yet.

Vice-Chairman Shiwarski, I am just trying to get a grasp on that from a departmental perspective.

#### **POLICE REPORT**

Lt. Krall submitted a copy of the December Report, which is attached to the minutes.

Chairman Abatta, explain to the public what happened to the Chief and why he is not here this evening?

Lt. Krall, the Chief was getting ready to come to work on a Thursday morning, the week before last and he slipped, fell and broke his leg. He had to have surgery and he is due to be off from six to eight weeks. He cannot put any weight on it and is in a cast.

Chairman Abatta, it happened in his driveway?

Lt. Krall, he knew it was icy but said it was like slow motion when he went down. He broke his leg in two places.

#### **ADMINISTRATION UPDATE**

Manager Silka, in regards to the comprehensive plan/zoning ordinance update, the one good thing is that we have interviewed our consultants and we have a motion on the agenda today to appoint Environmental Planning and Design, LLC as a consultant to work us through the comprehensive plan/zoning update. That will be within the budget of the Municipal Assistance Planning Grant that we received. What we will be doing now is starting the process to amend the comprehensive plan which will then dovetail into the zoning ordinance update. That is a plan that is becoming action. It has taken almost a full year to get here. It will probably be another 18 months or so until we are through this process.

Regarding the accident reporting police update, I did provide the Board with a draft accident reporting policy. That is being updated and we are taking comments from the Board to adopt at the March meeting.

I did attach to my report from the Pennsylvania Municipal League, a scholarship that they are having for senior essays. It is a \$2000.00 scholarship for first place and \$1000.00 for second place. If the Board does not have any objection, I would like to drop this off at the Guidance Office at Montour High School.

Chairman Abatta, I was going to recommend that you do that. I saw that in my packet this weekend. I think that is the prudent thing to do. That is a great idea. Please make sure that you do that.

Mgr. Silka, just to update you , we did have a municipal managers meeting. There was a state meeting in Carlisle that I attended. It was a one day meeting. We went over some updates and creative ways to maintain walkability as you redevelop currently developed subdivisions in areas and how to get the most green and pedestrian/ biker friendly areas. This is very appropriate for the comprehensive plan update. Also, the West Hills Managers have started monthly meetings. We met today. The one issue that we are looking at is salt bids going out with our COG and possibly one other COG that is located around Neville Island and the river so that hopefully we can get a lower salt bid. We still have a lot of salt consumers, us being one of them. We are hoping to get a better bid and more control over administration of the bid once it is released.

Chairman Abatta, Commissioner Barefoot and I are representatives to the COG. Would you like to come along with us to the next meeting and make that presentation? How do you want to handle it?

Mgr. Silka, actually Dave Montz from Greentree is taking the lead on this on behalf of the managers. We met with Janet Snak from COG this morning and he is going to work with her. I appreciate the offer and if I can be of help, I will be there. We did receive another 20 cent per ton salt reduction on fuel. We are down to a little over \$79.00 per ton on salt.

The Trotwood Acres Homeowners Association have asked again to have the roads in their plan dedicated to the Township. I am going to draft a letter to them. I just wanted to update the Board on the developments. We cannot accept dedication of the Trotwood Acres roads. As the plan was developed in 2006 with a Developer's Agreement, they applied for and were granted a right of way waiver to reduce the roads from 50 foot to 26 foot. That puts us into direct violation of the First Class Township Code where a road has to be no less than 33 ft. or more than 120 ft. to dedicate. That in itself nullifies the ability to dedicate the road. However, there is also expressed in the Developer's Agreement, that the Township will not accept dedication as the developer will not put forth for dedication. I am going to write the Homeowners Association with these facts that it is not possible for the Township to take dedication of those roads.

Chairman Abatta, in other words, their HOA should be the responsible party for the care and maintenance of their specific roads.

Mgr. Silka, that is correct.

**TOWNSHIP SOLICITOR'S REPORT**

Solicitor Cambest had no report.

**FINANCE REPORT**

Vice-Chairman Shiwarski, just to give you an update, for the last year or so Jerry (Kezmarsky) and myself have been sharing the responsibility of giving the finance report. Together, we have been trying to put together some metrics so that we can make a living document for the Board to share going forward that I think will be very transparent and hopefully useful when we want to isolate or identify any trends, good or bad. The finance report that we all see here, we are going to change that up a bit. Jerry has been doing the yeomen's work. We are trying to refine the budget process to make sure that all of our dollars are allocated correctly and that if we have dollars available to ourselves that we can allocate them for a usable purpose. We want to make this a tool and a scorecard. Hopefully in the next couple of months it will be available to us and will be distributed to us ahead of time in our packets and everyone will have the information and they can pick out of it what they want. That is why I questioned Mr. Meyers today so we can get an idea of where we are through the year and how it looks. For example, we are through the first month of the year and what percentage are we collecting of taxes and where are we at spending? That percentage will be available to us so that we can see where we are and certain mileposts. We can also compare that to previous years to see if we are on target. Bear with us a little bit as far as the reporting goes and hopefully we will have something to present shortly.

Chairman Abatta, once that matrix is complete to summarize, you will be able to do comparisons of where we are at, where we are headed, what we spent in the past, etc.?

Vice-Chairman Shiwarski, yes and we will be able to make educated decisions based on that. Also, as far as the revenue coming in, we want to make sure that at the end of the year when we work on the budget that we are budgeting the correct amounts. If we are getting revenue, we want to make sure that we are budgeting the correct amount of revenue in. We don't want it to be just a pick-up at the end of the year. Making this a live document should be easier for all of us on the Board to take that information and help manage the Township in a more efficient fashion.

Chairman Abatta, you cannot get more transparent than that. Good luck to you both.

**THE BOARD OF COMMISSIONERS CONDUCTED AN EXECUTIVE SESSION ON FEBRUARY 2, 2015 FROM 6:00 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 DURING THIS MEETING.**

Discussion to approve the December 2, 2014 Board of Commissioners Regular Meeting Minutes as submitted.

Discussion to approve the December 15, 2014 Budget Hearing Minutes as submitted.

Discussion to approve the December 15, 2014 Special Meeting Minutes as submitted.

Discussion to approve the January 5, 2015 Board of Commissioners Regular Meeting Minutes as submitted.

Discussion to approve the January, 2015 Treasurer's Report.

Discussion to approve the January, 2015 List of Bills.

**NEW BUSINESS**

Discussion regarding request by BL Restaurant Operations, LLC to withdraw from Public Hearing for a Liquor License Transfer and to close all proceedings.

Mgr. Silka, BL Restaurants are no longer pursuing their location in Robinson Township and they are withdrawing their request to do the inter-municipal liquor license transfer. That will close the hearing that we have extended the past three months.

Discussion to advertise a Public Hearing to be held on March 2, 2015 at 6:00 p.m. for a Rezoning Application submitted by the Gertrude W. Trust for Lot and Block 204-H-153 as recommended by the Planning Commission. The applicant wishes to rezone the property from R-3 to a C-2 Zoning District.

Discussion to advertise a Public Hearing to be held on March 2, 2015 at 6:15 p.m. for a Conditional Use Application submitted by the Estate of Richard E. Lang as recommended by the Planning Commission.

Discussion to approve a simple subdivision request of the Schmidt Plan of Lots Consolidation/Subdivision as recommended by the Planning Commission.

Discussion to approve the extension of the review period for Penn Center West Building 9 Site Plan by a period of ninety (90) days as recommended by the Planning Commission.

Discussion to approve the Tax Appeal Settlement in regard to BV-14-1502 concerning parcel 335-E-100 owned by Second Story, LLC for \$373,000 for tax year 2014 and \$373,000 for tax year 2015.

Mgr. Silka, this is a negotiated tax settlement. As you know from the past, we follow the lead of the school district on this. This building is where Eat n Park is located. This is the negotiated settlement for those years on those tax appeals.

Chairman Abatta, just for clarification, on these tax appeals, the lion's share of the money goes to the school district. You have three taxing bodies. You have the school district, Allegheny County and then you have the Township of Robinson. What we like to do when it is at all possible, is piggyback on the school district because they have the chance to receive the most benefit from passing these particular appeals.

Discussion to approve the Tax Appeal Settlement in regard to BV-13-4695 concerning parcel 335-F-46 owned by Second Story, LLC for \$1,730,000 for each tax year from tax year 2013 through tax year 2015, contingent upon the property owner agreeing to a tax credit.

Discussion to approve the Tax Appeal Settlement in regard to BV-09-663 concerning parcel 413-M-60 owned by Alshan II, LLC for \$1,700,000 for tax years 2009 through 2012 and for \$1,997,000 for tax years 2013 through 2015.

Discussion to appoint Environmental Planning and Design, LLC as consultant for the update of the Township Comprehensive Plan and Zoning Ordinance at a sum not to exceed \$120,000.00 subject to the terms in the Municipal Assistance Program Grant.

Mgr. Silka, this is the consultant that we are hiring for the comprehensive plan update and zoning ordinance update. We were fortunate to receive a \$60,000 matching grant from the state to do this process. They will match up to 50% of a project. As a single municipality, we are very fortunate to be awarded this grant because normally they like you to do multi-jurisdictional zoning and comprehensive plan updates. The total cost will be \$120,000 and \$60,000 of that will be borne by the municipality and \$60,000 will be a grant from the state. It is budgeted. Just as a side note, the comprehensive plan should be updated every five years. Ours was last updated in 1994 and that is why it is a little more costly because we are going a little deeper in the process to bring us up to where we need to be for a Township

Chairman Abatta, this is something that when I first came on board, and Mr. Urbano can attest to this, that we have been trying to do for quite some time. Through Jeff's due diligence we secured some funds that will lessen the load. Basically, what we are going to do is update some of these ordinances, which is long overdue.

Chairman Abatta, I have two addendum items that I am going to read into the record.

Discussion to appoint the towing firms of Naleppa Towing and Broadway Towing as the designated towing firms for the Township of Robinson.

Discussion to amend the September 8, 2014 meeting minutes to state that the settlement for J. C. Penney Properties, Inc., Parcel 336-P-30,-B/V -12002483, BV-13006291 was \$9,878,000 for tax year 2012.

#### CITIZENS COMMENTS

Michael Pendel (145 William Drive), as you mentioned my name is Mike Pendel and I signed in today under serious and unfortunate circumstances. At last month's Commissioners meeting, a fellow Commissioner, Earl Mapel, made claim that me and my family owe back property taxes. If that was not embellishment enough or creative enough, he went on to grandstand to say that we owe "significant" back property taxes. He creatively also implied that it was brought to his attention, maybe to buffer himself from the lie. I am here to say that nothing can be further from the claim. We owe no back property taxes and if I may, I can approach you with documentation to prove that fact. Can I approach you with the receipts?

Chairman Abatta, you have your time to speak. You have four minutes.

Mr. Pendel, needless to say Mr. Chairman, it is a grave embarrassment to me and my family. It is an unfortunate circumstance as I mentioned and it is truly damaging and malicious. In fact, it is an illegal act because it meets all of the criteria of an illegal act of defamation and slander. It was a lie, in public forum on public record for public consumption. That, and unfortunately for all of us, is an illegal act. Yes, it is an embarrassment to me and my family and it is damaging to my reputation. I believe that it is an embarrassment to all of you Commissioners. I believe that it is an embarrassment to you that you have to be exposed to somebody who would act so unlawful and unethical and use such grave misjudgement and irresponsibility. I believe it is an embarrassment to you and I believe it is an embarrassment to the prior Commissioners, the likes of Margaret Vietmeier and Bill Blumling. These are Commissioners who built this Township with dignity and putting the Township ahead of their own grandstanding. I believe it is an embarrassment to them and I believe that it is an embarrassment to Earl for obvious reasons. Anybody of age knows that we as

humans are creatures of habit. We act the same way, we do the same things over and over. We treat others the same way and the more that we get to see somebody or hear somebody, the more we get to know them. Now we have a glimpse of who Earl is. This past month, I had maybe a dozen and a half calls from colleagues, clients and family. One of the first questions that came up in the conversation was, "do you know Earl Mapel?" I said, "I don't know Earl Mapel". I know the other Commissioners, but no, I don't know Earl Mapel." What is interesting about life and I teach my children this, is now I do know Earl and anybody that did not know Earl prior to this, you know Earl now. In those same conversations, I was not afraid to tell everybody, "I owe no back property taxes. I don't know what he is talking about." They believe me. They believe me because that is who I am. In this same conversation, each and every person that called me and I appreciate the support said "Earl should resign for his unlawfulness, his misjudgement, his evil act." I say that is on Earl. I also say that it is on you Commissioners to right this wrong. It is an open wound in this Township and there has to be legal recourse maybe in the form of censorship or any other form that would legally be responsible. That is on you. I believe it is on you. In closing I do want to say this. Anybody that knows me and knows the teachings of my children, we do not act in proactive form. We do not stir trouble, but I am here today because of a reaction. I had no choice to be here. You called me out and I had to be here. I appreciate you giving me the time to speak and setting the record straight.

Chairman Abatta, what we are talking about here, what has been said, what has been discussed and in the way that I understand this, Mr. Pendel is on the Planning Board and Mr. Mapel is a sitting Commissioner. I am under the belief, and this is my own preference, that in order to get an answer to this situation or in order to bring this to fruition and find out exactly what is going on, I am going to ask the Board members that we go into an Executive Session.

**MOTION** Mapel, SECOND Barefoot to adjourn to Executive Session to discuss legal and personnel issues.

**ROLL CALL:** Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0.

Board adjourned to Executive Session at 7:38 p.m.

Board was reconvened at 8:08 p.m.

**BUILDING INSPECTOR/ZONING OFFICER REPORT**

A copy of the January, 2015 Report by Mr. Urbano is attached.

Commissioner Barefoot, have we completed the Occupancy Permit for Montour High School?

Mr. Urbano, yes, they were issued a week ago last Friday.

**MOTION Barefoot, SECOND Kisow to approve the December 2, 2014 Board of Commissioners Regular Meeting Minutes as submitted.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Shiwarski, SECOND Barefoot to approve the December 15, 2014 Budget Hearing Minutes as submitted.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Shiwarski, SECOND Barefoot to approve the December 15, 2014 Special Meeting Minutes as submitted.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Shiwarski, SECOND Kisow to approve the January 5, 2015 Board of Commissioners Regular Meeting Minutes as submitted.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Shiwarski, SECOND Barefoot to approve the January, 2015 Treasurer's Report.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Shiwarski, SECOND Barefoot to approve the January, 2015 List of Bills.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Shiwarski, SECOND Kisow to approve the request by BL Restaurant Operations, LLC to withdraw from Public Hearing for a Liquor License Transfer and to close all proceedings.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Barefoot, SECOND Kisow to advertise a Public Hearing to be held on March 2, 2015 at 6:00 p.m. for a Rezoning Application submitted by the Gertrude W. Trust for Lot and Block 204-H-153 as recommended by the Planning Commission. The applicant wishes to rezone the property from R-3 to a C-2 Zoning District.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Shiwarski, SECOND Kisow to advertise a Public Hearing to be held on March 2, 2015 at 6:15 p.m. for a Conditional Use Application submitted by the Estate of Richard E. Lang as recommended by the Planning Commission.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Kisow, SECOND Shiwarski to approve a simple subdivision request of the Schmidt Plan of Lots Consolidation/Subdivision as recommended by the Planning Commission.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Barefoot, SECOND Shiwarski to approve the extension of the review period for Penn Center West Building 9 Site Plan by a period of ninety (90) days as recommended by the Planning Commission.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Shiwarski, SECOND Barefoot to approve the Tax Appeal Settlement in regard to BV-14-1502 concerning parcel 335-E-100 owned by Second Story, LLC for \$373,000 for tax year 2014 and \$373,000 for tax year 2015.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
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**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Shiwarski, SECOND Barefoot to approve the Tax Appeal Settlement in regard to BV-09-663 concerning parcel 413-M-60 owned by Alshan II, LLC for \$1,700,000 for tax years 2009 through 2012 and for \$1,997,000 for tax years 2013 through 2015.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Shiwarski, SECOND Barefoot to appoint Environmental Planning and Design, LLC as consultant for the update of the Township Comprehensive Plan and Zoning Ordinance at a sum not to exceed \$120,000.00 subject to the terms in the Municipal Assistance Program Grant.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0**

**MOTION Barefoot, SECOND Kisow to appoint the towing firms of Naleppa Towing and Broadway Towing as the designated towing firms for the Township of Robinson.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.**

**M/C 5-0**

**MOTION Barefoot, SECOND Shiwarski to amend the September 8, 2014 meeting minutes to state that the settlement figure for J. C. Penney properties, Inc., Parcel 336-P-30 BV- 12-002483, BV-13-006291 was \$9,878,000 for tax year 2012.**

**ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.**

**M/C 5-0**

**Chairman Abatta, I am asking for a motion to approve a public censure of Commissioner Earl Mapel, Jr. for violating the policy and procedures of the Robinson Township Board of Commissioners.**

**Chairman Abatta, before I ask for that motion let me read in the properties that go with this motion: On January 5, 2015, Commissioner Mapel made a public statement concerning the status of the property tax of an appointed official and member of the public, Michael Pendel, which were untrue and which may expose the Township to a liability. The statements were made without consultation, without the proper representatives of the Township and without prior discussion with the Board of Commissioners of the Township of Robinson.**

**Chairman Abatta, again, I am asking for a motion to approve a public censure of Commissioner Mapel.**

**MOTION Barefoot, SECOND Shiwarski to approve a public censure of Commissioner Mapel for violating the policy and procedures of the Robinson Township Board of Commissioners.**

**ROLL CALL: Mapel-N, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y**

**M/C 4 Yes, 1 No (Mapel)**

### **COMMISSIONER COMMENTS**

**Commissioner Mapel, my information came from a very credible source, our tax collector. I was looking for verification information that would either substantiate or refute that. That was my intent. As of December 15<sup>th</sup>, according to the tax collector, Doug Perkey, there were unpaid property taxes dating as of December 15<sup>th</sup>. Whether or not those records were incomplete because they were turned over to Jordan Tax Services for delinquent tax collection, I do not know the answer to that. I am not familiar enough with the procedure to be able to speak to that subject. However, I will sit here with confidence and stand by the statement that I have made in the past. I**

believe that Mr. Pendel is very qualified to do the job that he is doing for the Township. I have never had any questions about that. This is not political. I have no further political interests or aspirations beyond my term of office, so this is not political. However, I was bound by an oath that I took to represent the people in this Township and to point out things in their interest that would either serve or cause harm. With that said, my statement earlier regarding Mr. Pendel last year when I could not support his appointment to the Planning Commission was based upon a conflict of interest in my opinion based upon a piece of property that he owns on Forest Grove Rd. that he was granted a conditional or use variance, which is very political. With that said, it had nothing to do with his credentials, his character, his family, which I never made mention of or anything of the like. My concern is that as public officials, whether we be elected or whether we be appointed is that we are transparent enough to do what our civic duty is and what is within the law. So with that said, the only thing that I can amend and you can censure me all day long if that is what you choose to do, but I still feel that people have a right to know what their public officials, whether they be elected or appointed are doing or not doing. That has every right being put out there for the folks who put us where we are. With that said, there is no malice, no personal reflection on Mr. Pendel. I was looking for answers and right now we have more questions than we have answers. I will be looking into this further. Apparently Jordan Tax Services might have the information that we are looking for, as opposed to our tax collector but as you have heard me say here numerous times month after month, when you hear me say to be kind to one another, don't misrepresent facts or opinions based on public interest or a personal vendetta. I have never, nor will I ever, exercise this office that I hold to initiate a public or personal vendetta against anybody. With that said, I hope that clears some things up. I hope that you are all safe out there in this ice. I feel badly about Chief Vietmeier and his little accident, but it might serve as an illustration for all of us to be a little bit more careful in this weather.

Chairman Abatta, please understand that this is the portion of the Commissioners meeting where it is Commissioners comments. The view of any specific sitting Commissioner is his view and his point only. I will be reading some facts into the record when it is my turn to speak relating to the issue that we spoke to.

**Commissioner Barefoot**, there was a lot said there. I think we may have complicated the issue. I think as Commissioners, School Board Directors, any public person that is speaking to the public should have their facts before they represent this Board. The steps that we are taking this evening I think are appropriate. I personally believe that you should not make comments until you know all of the facts. I also think you should discuss it with your peers. That was not done. To put this Board on the spot, was very inappropriate and I will tell you that I looked into some of the facts and all of the facts that I saw were clear. I am not going to make comment on Mr. Pendel and I am not

going to make comment on Mr. Mapel, but I believe as a Commissioner we need to investigate things prior to making statements. I will tell you, that if I were in Mr. Mapel's spot, I would apologize to Mr. Pendel and his family.

**Commissioner Kisow, no comments.**

**Vice-Chairman Shiwarski, as an elected official, we all have been tasked ethically, morally and legally to always speak prudent and responsible. Anything else is not only unprofessional but in my opinion, a violation of our oath of office. Not even taking into account being fair to the other members that you serve with.**

I would like to say best wishes and a quick successful recovery to Chief Vietmeier. Get well soon. You are missed. Secondly, this accident should offer us a glimpse to the peril that all of our first responders go through to provide safety, security and convenience to our residents and all who use our roads and places of business.

Public Works, after a mild start to the winter, has been once again called upon to provide the type of snow and ice removal and road maintenance that we have all come to expect. A great job done by all. To The workers from public works, the police, EMT's, and fire responders, thank you!

Just a little bit of tax information that came out from the library. They only have state tax forms. If you are looking for federal tax forms and booklets, please call either 1-800-829-3676 or visit the [www.irs.gov/forms](http://www.irs.gov/forms).

Chairman Abatta, concerning some of the procedures and things that happened this evening, I have a letter from the Township of Robinson, Department of Tax Collection, 1000 Church Hill Road. The letter is dated January 2, 2015 and is signed by John D. Perkey to Michael Pendel, 145 William Drive, Coraopolis, PA 15108 and reads as follows:

Dear Mr. Pendel:

Upon reviewing the 2014 property tax records for your properties, Block and Lot Codes 269-E-50, 205-K-6 and 270-L-113, my records indicate that all property taxes for both Robinson Township and Montour School District have been paid in full for all properties. If you have any questions or need any further information, please feel free to call or stop in my office.

Sincerely,

John Doug Perkey

Tax Collector/Robinson Township

Chairman Abatta, I wanted to get that into the record. There are also some other legal papers here that go with the letter and I will make sure it is all entered into the record this evening.

On a lighter note, I have a couple of comments that I would like to make in my particular session. Mr. Shiwarski alluded to the information that came to us from the library. I would like to make sure that all of this information is put on our website. We are very proud of our library and the job that the individuals do there. They have so many different programs that are relevant, not only to the senior citizens, but to tots and adolescents and people of all ages.

We wish all the best to Chief Vietmeier and are looking forward to his return

I would also like to commend the road department for the quick due diligence in the care of our roads. People call me up and tell me or email me that you always know when you are in Robinson Township. Our roads are A-1. The crew does a fantastic job. We got a report from the ground hog today that there will be six more weeks of winter coming, so I guess they will be busy again. Kudos go out to our road department for what they have been doing.

Another piece of information that I would like to get out to the public, and I did this last year, there is a group, of which I am a member, and maybe some Board members up here are also. It is called "Athletes in Action." It is a group of individuals that every year have a luncheon. This one is going to be held on Saturday, March 21<sup>st</sup>. Let me read in some of this information so that any of you old athletes out there, whether you played for Montour, Sto-Rox, Canevin or any other surrounding school, please come out and support us. This is a fantastic event that we attend. Let me read you what the mission is: "Our mission is to promote Christian values, honor and perpetuate the legacies of athletes and coaches from our area and raise scholarships for student athletes from the Montour and Sto-Rox districts. This year they have guest speakers. An individual by the name of Louise Waxler, who is the founder of Headquarters for Hope, which is widely recognized and respected in youth and professional sports and soccer events. Another individual who will be speaking is Tony DeMacio. He is a former major league baseball player and director of scouting for the Atlanta Braves. He also has a memorial scholarship that he sets up for specific individuals. Again, the date for this event is Saturday, March 21<sup>st</sup> at the Kennedy Township Volunteer Firemen Banquet Hall. The Ticket prices are \$30.00, which includes a meet and greet session where you can re-connect with your fellow athletes, a buffet lunch, celebrity guest speakers and door prizes. What you can do if you are so inclined is to contact Bob Zitelli at 412-771-8937 or email at [zitellir@hotmail.com](mailto:zitellir@hotmail.com). I will have Mgr. Silka put this up on the website. They have golf raffles, etc. It is a fantastic venue. You get together and talk about your injuries, etc.

Lastly, the Robinson Township Parks Department is sponsoring a fun event. On February 7<sup>th</sup> is the Valentines Bash. On stage will be the Jukebox Band. They are one of the tri-state area's best party bands. There are a lot of great door prizes available. The \$5.00 admission will automatically enter you to win the prizes. You can call the Township building to order your tickets or you may visit the website, [www.townshipofrobinson.com](http://www.townshipofrobinson.com) or contact Jane Tallon at 412-788-8120 ext. 234.

Also, save the date for April 25<sup>th</sup>, Robinson Township's annual clean-up day. We will meet at 9:00 a.m. at the Giant Eagle Market District at Settlers Ridge in the Food Court area. This will be a great opportunity to acquire community service hours. Any interested parties can contact Ms. Tallon at 412-788-8120 ext. 234.

Commissioner Barefoot, I just want to let everyone know that Mr. Silka actually sent every Board member here a tax delinquent list from Jordan Tax Service dated January 5<sup>th</sup>. There are no Michael Pendel's on this list. I think we just owe it to ourselves as Commissioners to do our homework. That is all I have.

MOTION Mapel, SECOND Shiwarski to adjourn the meeting.  
ROLL CALL: Mapel-Y, Barefoot-Y, Kisow-Y, Shiwarski-Y, Abatta-Y.  
M/C 5-0.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,



Carol Merks  
Township Secretary