

BOARD OF COMMISSIONERS MEETING  
MONDAY, JANUARY 7, 2013

CALL TO ORDER: Chairman Samuel Abatta called the regular meeting of January 7, 2013 to order at the Municipal Complex, 1000 Church Hill Road at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Cegelski-Present, Mapel-Present, Shiwarski-Present, Forquer-Present, Abatta-Present. Also in attendance were Manager Bibro, Engineer Meyers, Planning Director Urbano and Secretary Merks for the purpose of taking minutes.

**RECOGNATION OF THE 100<sup>TH</sup> BIRTHDAY OF ROBINSON TOWNSHIP  
RESIDENT, MS. ANGELINE HENRY**

Chairman Abatta, we are starting out the meeting with a festive event here. We are going to bless Ms. Henry on her 100 years of life on earth. We really want to know your secret. I understand you are a nice Italian woman. We have with us Representative Mark Mustio, who is going to make a short presentation and I will as well.

Representative Mustio thanked the Board of Commissioners for allowing him to participate in such a wonderful occasion. Senator Wayne Fontana has also provided a citation from the Senate of Pennsylvania,. He was unable to attend this evening. Representative Mustio proceeded to read a citation from the Pennsylvania State House of Representatives acknowledging Ms. Henry's 100<sup>th</sup> birthday.

Chairman Abatta also read a citation acknowledging Ms. Henry's 100<sup>th</sup> birthday. The Board joined him in congratulating Ms. Henry.

**TOWNSHIP ENGINEER'S REPORT**

Township Engineer's Report dated January 7, 2013 is attached.

Engineer Meyers, in regards to the Hampton Inn at Settlers Ridge, the Planning Commission has recommended approval of a modification of the resolution to extend the date of expiration for the UCD requirements. When Settlers Ridge was done there was a time frame placed on it and that time frame has expired. In order to use some of the zoning changes that were granted for Settlers Ridge, the time extension would have to be done. This the last developable piece on the site and there is a site plan before us for the Hampton Inn Hotel.

Under Developmental Reviews, the Oak Ridge Estates/Oaks Plans are still part of the Solicitors Report.

Nottingham Estates – the developer has finished the punchlist work at the site, but has not yet submitted the as-builts. Once that is done, a dedication letter can be completed.

Chairman Abatta, at some point, we will be taking dedication of Oak Ridge, an issue that we have been talking about for some time and Nottingham Estates?

Engineer Meyer, they are a little bit different. In Oak Ridge we will have to be doing some work on the site.

Commissioner Shiwarski, just to interject, Oak Ridge and The Oaks are a priority at the start of our paving season this year, which will be on or after May 15<sup>th</sup>.

Mgr. Bibro, that is correct. That will be in Phase 1.

Steubenville Pike Auto Sales and 5171 CPR Associates are on the agenda for the Planning Commission on January 16<sup>th</sup>.

Sir Henry's Haven has been received as a grading plan, but in the review process it was determined that it needs to be looked at as a site plan or possibly a use change. That was sent to the applicant and modifications are to be done. This is located at the edge of Kennedy Township. It is off of Coraopolis Rd. and Herbst Rd.

Mr. Urbano, that was a subdivision that was initiated in Kennedy Township and received preliminary approval. When you have a joint development in two communities, you also need to be in front of the Township for approval. It does not meet the Township ordinances because it is an R-2 and they want to build R-3 townhouses.

Chairman Abatta, are they proposing rental properties?

Mr. Urbano, they have not proposed anything to us about the property. It is up to them what they propose in Kennedy Township.

Engineer Meyer, I have not heard anything specifically if they are going to be doing rental, however when they submitted the plan it was only as a grading plan. However, they were showing housing on it, which did not conform to the ordinance so we told them they needed to go back and look at the plan and come back with an application.

Mr. Urbano, what was it submitted in Kennedy Township?

Engineer Meyer, it was submitted as townhomes, but I don't recall if they were rentals.

Mr. Urbano, we do not allow townhouses in the R-2. They are not a permitted use in that district.

Engineer Meyer, in our early discussions with them, they were not going to put the townhomes there. They were just going to have the cul-de-sac and the detention basin. I also put something in our letter that if that is the case, I do not believe that fits the ordinance either. That is up to legal interpretation. They would need a zoning interpretation.

### **POLICE REPORT**

A copy of the December 2012 Robinson Township Police Department Report is attached.

Vice-Chairman Forquer, concerning issues at the Mall, how did things go this year compared to past years?

Chief Vietmeier, it was pretty much the same. We were quite active. There were no car thefts, but there were some car break-ins. It is mostly shoplifting.

### **ADMINISTRATION UPDATE**

Mgr. Bibro had no report this month.

### **TOWNSHIP SOLICITOR'S REPORT**

No Solicitor.

**The Board of Commissioners conducted an executive session on January 7, 2013 from 5:00 p.m. to 6:00 p.m. to discuss personnel issues. The Board will take official action, if any, from this executive session during this meeting.**

### **NEW BUSINESS**

Discussion to approve the December 2012 Treasurer's Report. (Attached)

Discussion to approve the December 2012 List of Bills. (Attached)

Discussion to adopt Ordinance No. 1 of 2013 Amending Chapter 300, Zoning, Article II, Definitions: Word Usage § 300-12, Definitions of the Township of Robinson Code, to provide for definitions of display lighting and electronic sign panels and clarifying the definition of changeable sign copy and amending and restating Article XXIII, Conditional Uses § 300-2305C Billboards to limit the size and hours of operation of billboards based upon the functional operation of the road to which the billboard is oriented and clarifying various provisions to recognize new technology as recommended by the Planning Commission.

Mgr. Bibro, it may be in the best interest of the Board to table this motion, mainly because we do not have a Solicitor at this point to confirm whether or not this was sent to Allegheny County Planning. I would like to do some homework to see if I can confirm or deny those facts. That would be my recommendation.

Chairman Abatta, I would like to hear from the Board and we will vote on it at the regular meeting.

Commissioner Shiwarski, if I am not mistaken, our current Solicitor was excused from that.

Mgr. Bibro, it was my understanding though that there was correspondence from our primary solicitor. It is his normal duty to provide it to Allegheny County. The Board needs to be aware however, that the comments from the County do not determine how the Board would vote on this, even though it is important to see their comments.

Vice-Chairman Forquer, if this is not going to change anything and we just looking for confirmations, barring some issues that would be detrimental that we should look at concerning approval of this, why don't we vote on this pending the review from what we get from Allegheny County?. If it is just as you say it is, then there is no reason to hold this back.

Chairman Abatta, is it a paper change like we discussed with Mr. Ayoob's group and the vacation of the roads?

Mgr. Bibro, with this, the County Planning Director will send comments on what she believes should be recommended on what should be done with this amendment. In the past there have been times when we have received the recommendation and we have voted to the contrary. It does not bind the Board's decision.

Mr. Urbano, I thought that the Solicitor sent it down to Allegheny County because I recall at one time he did say he was sending it for their review. I don't know if that took place, but I can verify that I have not received anything myself from the County. I think it is in the best interest of this Board to table this until the next meeting to make sure it is all clear, legal and legit. This is only my recommendation. This has been going on for five years and I don't think another 30 days is going to hamper the situation.

Discussion to advertise an Ordinance for the vacation of a portion of Moon Run Road in accordance with an amended petition to be submitted by F.C. Aiken LLC as recommended by the Planning Commission.

Discussion to advertise a Request for Proposals (RFP) to provide banking services for the Township.

Discussion to advertise a Request for Proposals (RFP) for carpet installation at the Township Municipal building.

Discussion to Deny the Stafford Park Phase I Revised Plan for failure to submit a complete Application and for the reasons set forth in the Solicitors letter to the Applicant dated December 3, 2012.

Discussion to enter into a lease agreement between the Township of Robinson and Moon Township allowing Moon Township to install an antenna on Robinson's communication tower to improve the communications for Moon's emergency service providers.

Commissioner Shiwarski questioned, what is the time frame for this to happen and is this the tower by public works?

Mgr. Bibro, the time frame is as soon as possible. We started this process at some point in the summer. Moon Township is having some communication problems with their emergency responders in a certain part of their Township and they think it will be aided by putting this device on our tower. After we sign this agreement, I would imagine that piece will be up. This is located near our public works facility. It is a very small device.

Chairman Abatta, Moon Township is going to pay Robinson the total sum of \$10.00 for the proposed use of the tower?

Mgr. Bibro, it is intermunicipal cooperation and is just a nominal fee. We are not looking to make any money on it.

Commissioner Cegelski, based on the lease, it is probably good for the residents to know that we are indemnified properly here. There is extensive language involving insurance.

Mgr. Bibro, if the energy costs would increase substantially there is also language in there that we can then invoice Moon Township. I do not foresee that, but it still gives us that flexibility.

Discussion to approve a Resolution approving the Amendment of FCD-Development, LLC Conditional Use Approval for the Settler's Ridge Regional Lifestyle Center to extend the time limit for approval of a use within the designated Unified Commercial District through 2013.

Discussion to approve a ninety (90) day extension request submitted by Jaxon Property Management LLC for the Steubenville Pike Auto Sales Site Plan Application.

Mr. Urbano, they submitted an application for review of a site plan for a used car dealership. They previously received a use variance from the Zoning Hearing Board. Their application is due to expire and Engineer Meyers has been reviewing and working with them. Rather than it becoming deemed approved, I asked him to resubmit a new application to get us up to date and give us another ninety days to complete that review.

Chairman Abatta, the last time that I looked into that incident, they were saying something to the affect that their lawyer had not done such and such. Will it all be taken care of with this extension?

Mr. Urbano, I believe that Mr. Meyer can concur that there is only one item left on the review that needs to be addressed.

Engineer Meyer, there is one item left to do on the site plan review and there was a development agreement and bond estimate that must be done as well.

### **CITIZENS COMMENTS**

No citizens signed in to speak on agenda items.

### **FINANCE UPDATE BY VICE-CHAIRMAN FORQUER**

Vice-Chairman Forquer's Report is Attached

### **BUILDING INSPECTOR/ZONING OFFICER REPORT**

A copy of the December, 2012 Report by Mr. Urbano is attached.

Chairman Abatta, the fees that we collected in 2012 were more than we collected in 2011 correct?

Mr. Urbano, that is correct.

Chairman Abatta, as far as the valuation and approved new construction, that also eclipsed last year?

Mr. Urbano, yes, by \$11 million.

MOTION Forquer SECOND Mapel to approve the December, 2012 Treasurer's Report.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y

M/C 5-0

MOTION Forquer, SECOND Shiwarski to approve the December, 2012 List of Bills.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y

M/C 5-0

MOTION Cegelski, SECOND Shiwarski to table Ordinance No. 1 of 2013 Amending Chapter 300, Zoning, Article II, Definitions: Word Usage § 300-12, Definitions of the Township of Robinson Code, to provide for definitions of display lighting and electronic sign panels and clarifying the definition of changeable sign copy and amending and restating Article XXIII, Conditional Uses § 300-2305C Billboards to limit the size and hours of operation of billboards based upon the functional operation of the road to which the billboard is oriented and clarifying various provisions to recognize new technology as recommended by the Planning Commission.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5

MOTION Forquer, SECOND Mapel to advertise an Ordinance for the vacation of a portion of Moon Run Road in accordance with an amended Petition to be submitted by F.C. Aiken LLC as recommended by the Planning Commission

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

MOTION Shiwarski, SECOND Forquer to advertise a Request for Proposals (RFP) to provide banking services for the Township.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

MOTION Forquer, SECOND Shiwarski to advertise a Request for Proposals (RFP) for carpet installation at the Township Municipal Building.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

MOTION Mapel, SECOND Forquer to deny the Stafford Park Phase 1 Revised Plan for failure to submit a complete Application and for the reasons set forth in the Solicitor's letter to the Applicant dated December 3, 2012.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

MOTION Shiwarski, SECOND Cegelski to enter into a lease agreement between the Township of Robinson and Moon Township, allowing Moon Township to install an antenna on Robinson's communication tower to improve the communications for Moon's emergency service providers.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

MOTION Mapel SECOND Cegelski to approve a Resolution approving the Amendment of FCD-Development, LLC Conditional Use Approval for the Settler's Ridge Regional Lifestyle Center to extend the time limit for approval of a use within the designated Unified Commercial District through 2013.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

**APPOINTMENTS OF BOARDS AND COMMISSIONS:**

Appointment: Planning Commission (Four Year Term ending December 31, 2016)

Applicant (1) – Rick Urbano

MOTION Mapel, SECOND Cegelski to appoint Rick Urbano to the Township Planning Commission for a four year term ending on December 31, 2016.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

Appointment: Zoning Hearing Board (Three Year Term ending December 31, 2015)

Applicant (1) – Garth Gartin

MOTION Forquer, SECOND Mapel to appoint Garth Gartin to the Zoning Hearing Board for a three (3) year term ending on December 31, 2015.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

Appointment: Parks & Recreation Board (Five Year Term ending December 31, 2017)

Vacancies (2)

Applicants (2) Diane Freese, Denise Somma

MOTION Forquer SECOND Cegelski to appoint Diane Freese to the Parks and Recreation Board for a five (5) year term ending on December 31, 2017.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

MOTION Forquer, SECOND Cegelski to appoint Denise Somma to the Parks and Recreation Board for a five (5) year term ending on December 31, 2017.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

Appointment: Municipal Authority of the Township of Robinson Board (Five Year Term Ending December 31, 2017)

Vacancies (1)

Applicant (1) Nicholas Bonesso

MOTION Forquer, SECOND Shiwarski to appoint Nicholas Bonesso to the Municipal Authority of the Township of Robinson Board for a five (5) year term ending on December 31, 2017.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

Appointment: Library Board (Three Year Term ending December 31, 2015)

Vacancies (2)

Applicants (2) Joan Trautman, Frank DiSalle

MOTION Forquer, SECOND Cegelski to appoint Joan Trautman to the Library Board for a three (3) year term ending on December 31, 2015

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

MOTION Forquer, SECOND Shiwarski to appoint Frank DiSalle to the Library Board for a three (3) year term ending on December 31, 2015

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

Appointment: Vacancy Board (One Year Term ending December 31, 2013)

Vacancy (1)

Applicant: (1) Bryan Young

MOTION Forquer, SECOND Shiwarski to appoint Bryan Young to the Vacancy Board for a one year term to end December 31, 2013

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

MOTION Mapel, SECOND Forquer to appoint John Butya as the Solicitor for the Robinson Township Planning Commission as recommended by the Planning Commission.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0

MOTION Forquer, SECOND Mapel to terminate or accept the resignation for legal services provided by Goldberg, Kamin & Garvin effective immediately.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-N

M/C 4 Yes, 1 No

MOTION Forquer, SECOND Mapel to appoint John L. Butya as an interim Township Solicitor for a period of thirty (30) days or as needed or as authorized by the Board of Commissioners.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y

M/C 5-0

MOTION Forquer, SECOND Mapel to advertise for applicants for Township Solicitor to provide legal services to the Township of Robinson.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y

M/C 5-0

#### NON-AGENDA CITIZENS COMMENTS (3 MINUTES)

Chuck Marks (541 Marks Drive), I would like to thank Chief Vietmeier and the Police Department for the increased patrols in the Groveton area.

I would like to mention Stafford Park. I do a lot of work for Heartland Homes. As a matter of fact, I have an excavator and a backhoe sitting there. At least six people that we know had contracts in that plan, but because of the indecision in holding up building permits, for whatever reason it is, they had to move on because they sold their houses and they ended up in other communities. That cost the Township at least \$3 million worth of taxable properties. It just seems that you don't care about that. I know that the developer spent a great deal of money fighting lawsuits. You guys took this man to court six times and you lost six times. You are 0 for 6 and it looks like you are going for the seventh round right now. If you lose, I want to make a suggestion. Every one of you Commissioners should pay the bill. You are making the developer pay it. You pay it and see what it is like. I know developers who will not come in this Township because of the atmosphere politically and I don't want to go into depth, but it is pretty sad. You guys really need to get this together. A developer is here to help you and give money.

Stephen Taylor – 108 Scottdale Drive, I am here to comment. In the last three months I have requested quite a bit of information from the Township. Unfortunately, it did not come forth and it took a court order from the State of Pennsylvania to force Mr. Bibro and the Township to give me the information. I have been reviewing quite a bit of it and I find it very disgusting. For starters, I have to talk about Stanford Court, (Stafford Park) which for lack of a completion of a form, that you are denying them and are going to send them back to court again, but at the same time I am in the courts six times over a form that was not filed five years ago but approved by the Township. I have a court hearing again tomorrow morning that I have to deal with. I looked into other things and I

have here a sworn statement from Mr. Bibro that Mr. Mapel does not have any information on his property. I have statements from Allegheny County that he has an office building, but he says it is a shed. From my recollection, the shed is 25 x 35 or 40'. It is two stories and is brick to grade. There is no record of it. The reason for building permits, and there is no record of building permits and that is a sworn statement from the Township. There is no occupancy and no building. The main reason for a building permit is for taxes. There are no records of any taxes being paid on Mr. Mapel's property for at least 10 years since it was built. This is a lot of money and again, my recollection is a 1400 sq. ft. building. There are a lot of houses in the Township that are not that big. I don't think it is a backyard shed. I would request that Mr. Mapel do something about this. I have pictures if anybody is interested in looking at it. I have satellite pictures. It is a massive building. It is a shed? His truck is parked underneath it. There are dumpsters there that he uses. You don't find that in a residential area. I am requesting that Mr. Mapel provide proper information about this building to the Township. I would also request that the Commissioners ask him not to vote on anything in the Township until this is done.

Jerry Brouker – Coraopolis Road, actually most of what I was thinking of talking about was covered already by others and by the Board. I can only reiterate their point. I don't have any ax or dog in the hunt for Stafford Park or Coventry Park. The background that I have and the perspective that I could give though as a Commissioner who dealt with it the entire four year term I was on the Board, there does seem to be a whole lot of litigation involved there. One of the reasons that I quit wanting to fight Stafford Park was because we lost in court every single time we went, at least during my term. We argued back and forth over streams and tonight I guess you guys tabled it and there was no discussion by the way during your caucus as to why you were not voting for it. I don't know if there was an error, but it was not discussed and it was voted on. Again, it is an accurate assessment to say that we lost a bunch of times as a Township and we spent probably hundreds of thousands of dollars over the last years in legal fees to lose. I also know that you are walking away from untold amounts of revenue. You are talking about 60 places and upwards of \$350,000 to \$500,000. Why is there no other development in the Township that I am aware of, going through all that and what is the hassle? I know that we have two Commissioners and a Planning Director that live right there. I know that there has been some acrimony involved before. If there was a legal leg to stand on, have at it. If you are not going to win, why are you wasting the taxpayers money?

#### COMMISSIONERS COMMENTS

**Commissioner Cegelski** please excuse my appearance tonight, but unfortunately we don't have those make-up artists like the big newscasters. Good evening Robinson Township. As the Commissioner liaison to the Robinson Township Library, I have the following information for the month of January. Please visit the library website for continued programming for all ages from tots to adults throughout the month of January. An added feature to those who read magazines, Zinio Patron Borrower is available which allows access to more than 300 digital magazines and you can go on the website and get directions on how to get those downloads. If you want someone at the library to help

you, there will be more than willing to assist you. Also, they continue to have computer classes there and anybody who needs help, you only have to ask.

In the month of December, I had the opportunity along with my fellow Commissioners to attend two of our Fire Department anniversary celebrations and congratulations again to the Forrest Grove Fire Department on their 90<sup>th</sup> year and to the Groveton Fire Department on their 65<sup>th</sup>. The hard work and dedication that they provide for community safety is to be more than commended.

As Commissioner delegate to the Char-West Council of Governments, I attended the December 21<sup>st</sup> meeting where we began with a moment of silence with the community of Newtown. The business items of importance to report are as follows: I also have to let you know that there is something going on with the sewer-cleaning project. A grant has been unofficially awarded for that particular project. Keith ? from Senator Fontana's office was in attendance to speak about the Land Bank Act and that allow municipalities to claim abandoned parcels of land for use. That was approved and municipalities are permitted to do that. Alvin Henderson, the Allegheny County Director of Emergency Services spoke to us at great length. With the tragedies that we have experienced, all municipalities are on high alert about public safety, as I am sure Chief Vietmeier is very much aware. Much emphasis in light of those tragedies is being placed on the preparedness of communities and if there should be an emergency situation. I wanted to bring to your attention that the Chief of Police from South Fayette talked about a new defense method that the officers are being trained in because he was saying this is something that a lot of the officers are getting. I was not sure if our officers have had that type of training or not.

Chief Vietmeier responded that we have that training in Robinson as well.

In summary, I would like to extend New Years wishes to all and to share with you my desire to continue to serve this fine Township with due diligence in all matters brought before us.

**Commissioner Mapel**, before I get into my comments I want to address a couple of comments from the residents and I will direct those comments to you Mr. Chairman. Hopefully for the last time I will clarify the issue with my shed, storage building or whatever you want to call it. There has been a building on that spot since 1952 when my parents bought the property. The commercial property at that point was C-1. That was against my will. It was rezoned against my wishes. That was rezoned in 1993. The building was on that property for a long time. At that time, C-1 did not restrict the use of commercial properties, prior to 1971. I hope that I don't have to go through this again

with you Mr. Taylor, but that is the reality of it. For your information, that piece of property as of this year, went up 500%. If you have any concerns about the fact that we are not getting tax dollars from it, it has just been inflated by 500%. It is not my responsibility or anyone else to keep track of what the county has access to or records of, probably because it was in 1952 that the building was put there. I don't know if they had aerial photographs or technology available to put those on the records. I have always paid property taxes on undeveloped property, just for your information. What you said here is not only incorrect but it is grossly incorrect. With regard to the activity that we adopted here this evening on Stafford Park, I am a little bit concerned and I am starting to get a little bit irritated about the fact that people are saying things, and I have heard this from a number of different sources, that Mapel lives bordering this piece of property of development and he does not want to have it because he likes the trees. Anybody with any ability to reason and uses common sense in the decision making that they have, would know that those homes of \$350,000 to \$400,000 are well above the value of my house. The development can only appreciate the value of my property. Nobody in their right mind would say that I did not want something that is going to make my own property more valuable. What I don't want and what I absolutely am not going to allow to happen unless it gets out of my hands, is for somebody to develop property for sale that does not belong to them, which is exactly what is happening here. The survey work is wrong and this all happened because of the unorthodox procedure that was followed with the GFCC contract, by the way which was never finished. This whole project has been a fiasco from the day that the people in this room watched a comedy of errors take place with a public hearing involving a GFCC contract. With that said, I hope that we can move forward and do things correctly. We have never had this kind of a problem with a developer and I hope I am correct in saying this Rick because I have not been around as long as you. We have never had this kind of legal rhetoric going back and forth in courts with our developers because they simply abide by the ordinances and do things the way you are supposed to. Mr. Victor has decided to go in a different direction. That is his prerogative, but there is a procedure to follow to correct what is going on here and we are doing that to the letter. I hope that dispels some of the concerns that you have regarding my own personal property and my position on Stafford Park.

It has been my honor and privilege for the past year to serve this Township as Commissioner liaison to both public safety and also zoning, planning and building permits. It has been my intention to invest a year of my term in office to orient myself to how these departments operate, and more importantly how my service to them can improve or enhance the way these departments function. This is what I have learned. Politics is alive and well in Robinson Township. Whether it be a first class township, as is the case here, or any form of municipal government, the process is impaired and so is the insufficiency when decisions are being influenced by those who possess their own agenda and are not held accountable to the people being served. That said, it is not my intention to spend time finger pointing or placing blame. These are the

facts and they are all around us. What is more prudent is what to do with a years worth of education. I like to use the analogy of a person who has lost their car keys and continues to search for those keys in the same spot over and over. They search and cannot understand why they cannot find those keys. If we recognize that we have a problem and that problem continues to manifest itself over and over again and we don't intervene to take action to bring about change, we can only expect the status quo. At that point we have a choice to make. Are we part of the problem or the solution?. A year ago I swore an oath to serve this Township understanding that there would be from time to time, difficult decisions that I would have to make. Tonight has been one of those times. When concerns and speculation over a years time evolves into valid contentions, I am bound by oath to do what I believe is right and I am prepared to stand alone if necessary. I am truly grateful to those who have supported me and shared my values and are willing to work with us here to continue the progress that we are making. Prior to my election to this Board last year, there were some that expressed concern that I would become yet another cog in the Robinson Township political wheel. I trust that the answer to that question is easier to see for what I have done as opposed to what I have promised that I would do. To conclude, I am happy to report that this January 7, 2013, we have clean, well maintained, safe streets. We have parks, sports and recreation facilities, including a swimming pool, a growing library and commercial and industrial development, all of which is the envy of our surrounding communities. We have a balanced budget without raising taxes or cuts to essential services. I believe this is pretty good work. As much as we may want to be comfortable standing on this progress, we can and will do better by making the difficult and necessary changes that are necessary from time to time. We are committed to being good stewards with your tax dollars.

Enough said about the state of the Township. I hope that everyone had an enjoyable holiday season with your loved ones and everyone is underway with all of your New Years resolutions. Finally, I would like to wish everyone here a happy New Year and happy birthday to our youngest member of the Board, Mr. Shiwarski.

**Commissioner Shiwarski**, after last month's comments I ran a little long, so I am going to keep it as short as can be. Happy New Year to everyone and Merry Christmas to my Orthodox friends. The only question or task that I have to the Board, we spend time and energies on a lot of different things such as floodplains, taxes, etc., but there has to be an answer to the parking situation at Settlers Ridge. On Friday, I went up there to get a piece of pizza and I circled around for fifteen minutes when I was lucky enough to find a place to park somewhat near to the restaurant. The people that I was meeting had to walk from LA Fitness to Anthony's Pizza to get a parking spot. Something is wrong in Denmark as they say. That cannot be right. If the business was planned out, there are way too few parking spots. There is some issue up there that I think we have to look at.

We have people talking about no matter what side of the issue you were on tonight about the public hearing and the pollution as far as the billboards are concerned and it was going to be a detriment to people coming into this area and we are talking about tax revenue that we are not using, but after a while people are just going to get tired of visiting that establishment. I task us to look into that. One last thing, the people that have served on Boards or are going off of Boards, I want to thank them for their time that they served. The new people that are coming on, I want to thank them. With the resignation tonight of our Solicitor, I want to thank them for their many years of service.

**Vice-Chairman Forquer**, I want to tell you upfront, two of the most frustrating things as Commissioner that I have ever had to deal with here is Coventry and the other one is TIF. Let's take Coventry first. When I got onboard, I heard there were a lot of issues with that and so I started looking at the geo-tech study that was done. I looked at all of the hole drillings and how many voids there were underground. I looked at the fact that the contractor had taken tons and tons of earth and moved it to the righthand side of the property. I also noted those were very shallow mines on that side of the property. The end use of the property was supposed to be a development and there were various court actions that went on and there was a hearing before the DEP. The results of that hearing did not come out until months later and nobody knew what they were initially. That was supposed to be a development, although the permit that was filed by Steven Victor, I thought was rather strange because it said that you could pile soil on top of the mines and if you could make the soil competent, it was good for renovating the property. I thought that was very strange. The permit, I really did not understand but I did talk to some people and there was a friend of mine who passed away this past year and he was a chief analyst for the Office of Surface Mining and he worked for the United States Government in that position. I talked to him about this and he said what was basically going on over there, they should have applied for a surface mining permit, but they could not have been granted one so what they gave them was a GFCC which is a Government Financing Construction Contract. What was supposed to happen, Victor was supposed to take the coal out, sell the coal and from the money he made selling that coal then he would either daylight mines or do whatever he was going to do to make the soil competent as it said in the application to build homes on. When I saw what was going on at the site, I felt like DEP was not doing the right thing. For the most part, I wrote a letter of complaint and Mike Meyer wrote some of it and it went to the DEP. What was supposed to be being prepared for a development ending up being prepared for pasture land. There were things going back and forth and Victor did not want to do anymore geo-tech work because all he had was a study. Some of the drillings were years and years old, so it should have been done properly. There were a lot of things like that and as Earl pointed out, there are also issues involving surveying and other things. I think the Township's concern there is that we don't know what is under the roads. I think they were put in without proper drillings made to make sure they did not have to blow fly ash or whatever they do down there.

There were several ways listed in the study to remediate the property and one of them was delaying to dig the coal out and compact the surface area so you can make it stable to build on and caissons were another suggestion. These things were not being properly addressed. The Township has been given information that there is no coal under this section and we find out later that there was. There was a late submission of documents and then they have a deemed approval and we have to go before a judge every time we want to do something. It is just a whole mess, but all of these things were voted on at one time when this project started and I don't think the litigation was handled properly. That is all I can tell you there.

Getting back to the other things that I have to say, this is a great Township and I have said many times that I have a responsibility to the citizens of this Township to always do things in their best interest. We serve our citizens by keeping our operating costs low and in turn taxes, which is even more important to our senior citizens and families and those that are unemployed and on tight budgets, I can tell you that it is a painful task sometimes to be a Commissioner here because of the personal relationships that we have with others and tough decisions we have to make sometimes. Some of the changes that we have made resulted in the loss of jobs for Township employees and were tough decisions, but given the state of the economy and for the good of all our citizens, we made those changes. I have had the good fortune to have the support to pass many of the motions needed to reform the financial management of our Township, but it is still a work in progress. People may come to our microphone and question our methods sometimes, but they cannot question our results. We are still striving to find ways to cut expenses without cutting services and I want to repeat again, we do not plan on having a TAN note this year. It is a sign of our health. There are things that can happen, but we think that things look pretty good right now. Concerning TIF issues with the mall and JCP Associates, which is still unresolved, there have been several appeals granted reducing the amount of taxes in the TIF district that fund the bonds. I see big problems ahead. I have sent some correspondence to the school board concerning this matter, but have received little support. Since they have a bigger stake considering the amount of taxes they direct to the TIF bonds, I don't understand what is going on with them. I stand ready to work with their Board to resolve these problems. All they have to do is contact me. They have my phone number and my email address. I would be happy to sit down with them. I have lived with those contracts for a long time.

As Commissioner Cegelski stated in her report, Groveton was the first Volunteer Fire Company in Robinson and they invited us to their 90<sup>th</sup> anniversary. It was a lot of fun. We also attended Forest Grove Fire Company's 75<sup>th</sup> anniversary. In addition,

congratulations go out to all of our volunteer firemen in Robinson Township. Every time I hear an alarm at all hours of the day and night, my thoughts and admiration are with all of them for their dedicated service to the community. Do not forget to support them with donations and especially business owners who are listening out there, get your checkbooks out. They could use some cash.

Lastly, this has been the 1st meeting in 2013. I would like to wish everyone a healthy, happy and prosperous new year.

**Chairman Abatta**, I have a couple comments also that I would like to make. First and foremost, I would like to congratulate Ms. Angeline Henry on her 100<sup>th</sup> birthday celebration. It gives me great pleasure to recognize her and see someone who has been a resident that long and who has contributed to the overall good of the Township. She deserves all of the accolades that we can possibly send her way.

I would also like to thank all of the recent appointments to the respective Boards tonight, the Planning Commission – Mr. Urbano, Zoning Hearing Board – Mr. Garth Gartin, Parks & Recreation Board – Diane Freese and Denise Somma, MATR – Nick Bonesso, Library Board – Joan Trautman and Frank DiSalle and the Vacancy Board – Mr. Bryan Young. Congratulations to all who serve the Township.

This Board will always have the best interest of its residents and taxpayers in mind. When crafting legislation and making the correct decisions on all issues for the overall benefit of the Township residents, we want to make sure that we do the best job that we possibly can for our Township.

I am going to give just a quick synopsis of this past year and some of the things that need to be addressed and put out there for the coming year. Some highlights are past decisions made by the Board. First and foremost is operating the Township within a budget by not raising taxes. They have not been raised in the past six years. This is the third straight year that our revenues have exceeded our expenditures, which in this day and age and economy, is saying a lot. Our current tax rate is 3.05 of which .2 goes to the fire departments maintenance and operation and .1 goes to service the Library. In essence what that means is our rate is 3.05, but our actual operating expenses is 2.75. Please bear in mind that the millage rate is also one of the third lowest in Allegheny County. There is a lot to be said for that. Within the framework of operation, we have to date spent over \$1 million to approve roads and infrastructure in our Township. We will be taking dedication of two newer housing plans within our borders (Nottingham and The Oaks) very shortly and also, we have collected in excess of over \$100,000 of delinquent real estate taxes. In the fall of 2008 there was a transition to regionalize collection of earned income tax. More revenue was taken in this year than was budgeted. We have

negotiated with all three bargaining units and staff for health benefits, which will save us approximately \$100,00. The total revenues due Robinson Township are projected to increase by \$248,000 this year. That is a significant increase. Also, I want to make people aware that we are in a situation where we have some uncertainties regarding our millage rate. I am reading right from the Township of Robinson annual budget report. "The court ordered Allegheny County real estate tax reassessment will take affect in 2013, however, since there are numerous appeals that have not been adjudicated, the Honorable R. Stanton Wettick, Jr. ruled on 12/10/2012 that municipalities have until June 15, 2013 or 10 days before the planned mailing of the 2013 real estate tax bills, whichever comes first to determine the millage rate. Primary figures reveal the assessed valuation for Robinson Township increased roughly 28%. Once a more accurate value is determined in early 2013, the Township is required to reduce the millage rate so that the revenue collected does not exceed 105% of the prior year in accordance with the Pennsylvania Anti-Windfall Provision. A municipality must get court approval to increase the revenue more than 5% during a reassessment year. The following budget as proposed reflects a total real estate tax revenue increase that was within the 5% provision. Depending on the result of the assessment for each parcel, Robinson Township residents may see their taxes decrease, increase or stay roughly the same. As some of my fellow Commissioners have alluded to before, the central services that are provided for the amount of taxes collected we feel is on par. Everything is working the way that it should. With that said, I would also like to wish everyone a happy New Year.

MOTION Forquer, SECOND Mapel to adjourn the meeting.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-Y, Forquer-Y, Abatta-Y  
M/C 5-0.

Meeting was adjourned.

Respectfully submitted,

Carol Merks  
Secretary