

BOARD OF COMMISSIONERS MEETING
MONDAY, MARCH 4, 2013

CALL TO ORDER: Chairman Samuel Abatta called the regular meeting of March 4, 2013 to order at the Municipal Complex, 1000 Church Hill Road at 7:00 p.m.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE FOR RYAN HEITZENRITER, AGE 13 OF ROBINSON TOWNSHIP WHO PASSED AWAY ON FEBRUARY 28, 2013.

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

TOWNSHIP ENGINEER'S REPORT

Township Engineer's Report dated March 4, 2013 is attached.

In regards to Nottingham Estates, the developer has not submitted the as-builts for the project and established a homeowner's agreement per the Developer's Agreement.

Chairman Abatta, do we have an estimation as to when we will take dedication here? What is involved with the as-builts?

Engineer Meyer, we need to get copies of the as-builts that the developer has to supply. They also have to put together a homeowners agreement in order to take over the roadways. If we do not get it shortly, maybe we should have the solicitor get involved and maybe speed along the issue.

Chairman Abatta stated that he would like this done before the next bus transportation season starts.

Engineer Meyer, the majority of the work is done. These are the remaining punchlist items. We cannot issue a recommendation for acceptance until those have been completed. I think we should contact him and find out where it is at.

POLICE REPORT

A copy of the February 2013 Robinson Township Police Department Report is attached.

Chief Vietmeier, one thing I do want to add, I want to recognize Aaron. I know that it is his last meeting and I just want to wish him the best. We had a good relationship. We had a tough relationship. He was very consistent and well-liked and everything that I needed he got back to me in a timely manner, whether it was good or bad. He was very consistent and that is all that I could ever ask for. He was a true gentleman and a great friend.

Chairman Abatta, Aaron is a gentleman and has done a fine job for us. We are sorry to see him go, but we wish him all the luck.

Commissioner Mapel, how are we coming along with our dog's training?

Chief Vietmeier, the training started February 18th. We are in our 3rd week. We should be in pretty good shape and hopefully we will be in operation by June.

ADMINISTRATION UPDATE

Mgr. Bibro, for my last report I will make it as brief as possible. The transition for Township Manager just so everybody is aware of the process, we have been collecting resumes and we received over 30 to date. The window closed on February 28th. I presented five or six names to the Board. They will interview next week and hopefully we will be in a position to appoint the new manager at the April meeting. I am confident that the Township will be in good hands moving forward. This is a legitimate executive session matter and the interviews will be private since it is a personnel issue. Solicitor is more of a third party consultant, so it could be done publicly. We advertised in the Post-Gazette, the Tribune Review as well as professional magazines that municipal managers subscribe to. We tried to target our audience, but also get a wide range.

The building renovation has progressed and hopefully people are happy to see it. We are 95% complete. At this point we are under budget. The lobbies to the library and police department, we hope to make more inviting.

In regards to the Solicitor search, this past month the Board completed public interviews. We are in a position this evening to make an appointment. Commissioner Shiwarski is not here due to work obligations, but he did say we can call him for a phone vote for the Solicitor appointment. We will have a five member vote for that appointment.

Mgr. Bibro thanked Chief Vietmeier for his kind comments.

TOWNSHIP SOLICITOR'S REPORT

Solicitor Butya, most of my items are covered throughout the agenda. One of the items I would like to talk about is the issue of public comment. The Board of Commissioners passed Resolution 11-2012, which governed the manner of public comments at its public meetings. In order to comply with the provisions of the Resolution, public comment is being revised and will now be accepted on agenda items and items of concern to the speaker, residents and taxpayers of this community as the first order of business at the public meeting. The public comments will be limited to four minutes per individual. This procedure will provide the public with the opportunity to comment prior to the Board taking official action. It is the intent of the Board to conduct its meetings in a business-like and professional manner. They also wish to stay and be in compliance with the procedures that they have already officially adopted and also to be in compliance with the Pennsylvania Sunshine Act. The Board wants to maintain these meetings and preserve order and decorum of the stature it deserves. That is why they asked me to review the procedure and what has been adopted by this community and those are my comments.

One further comment that I would like to make regarding the appointment of the Solicitor, I really want to commend this Board for the effort that it made to try to find a new Solicitor. The number of interviews that I sat in on, the questioning of the applicants were in detail and everyone on this Board took part in it. There were obviously differences between the applicants and judging from the effort put in, I trust that they are going to make a good decision.

Chairman Abatta, we appreciate your guidedness on that issue.

THE BOARD OF COMMISSIONERS CONDUCTED AN EXECUTIVE SESSION ON MARCH 4, 2013 FROM 5:30 P.M. TO 6:30 P.M. TO DISCUSS TOWNSHIP MANAGER APPLICANTS. THE BOARD WILL TAKE OFFICIAL ACTION, IF ANY, FROM THIS EXECUTIVE SESSION DURING THIS MEETING.

Discussion to approve the December 27, 2012 Board of Commissioner's continuation meeting minutes.

Discussion to approve the February, 2013 Treasurer's Report.

Discussion to approve the February, 2013 list of bills.

NEW BUSINESS

Discussion to adopt Resolution No. 2 of 2013 approving the entry into a first amendment to the lease agreement with the Robinson Township Board of Library Directors for a portion of the Township's Municipal Building.

Solicitor Butya, there are some corrections to that document that I would like to recommend and I would like to discuss with the Manager. You can vote on it. These are items that can easily be corrected.

Mgr. Bibro, there is some space upstairs in the building. Our building is about full now with tenants at a rate that has been higher than ever. There is one space that is remaining and it is when you get off the elevator upstairs that the library has turned from an open space into a usable space where they have story time, art classes and various classes for adults. They really turned it into something that has become an asset to the community. It was the Board's position a few months ago to enter into a lease agreement with them so that space will be guaranteed to be used for the library and to create programming for the residents of Robinson Township.

Discussion to adopt Resolution No. 3 of 2013 recognizing Robinson Emergency Medical Service, Inc. as a civic and/or service association under the local options small games of chance act, as amended.

Mgr. Bibro, this is to allow REMS at a fundraiser to have something like a money wheel. We have done this for several organizations. All of the proceeds will go towards REMS.

Discussion to adopt Ordinance No. 2 of 2013 accepting the dedication of certain streets known as Walnut Drive and Hickory Circle in the McCormick Farms Plan of Lots No. 3.

Discussion to adopt Resolution No. 4 of 2013 amending the Township's fee schedule in relation to rates at the Clever Park Swimming Pool per the recommendation of the Township Manager.

Mgr. Bibro, we did raise the rates this year for the pool. Obviously our goal is not to make money, but to get as close to breaking even as possible. There is an analysis, which is Attachment J. For the most part, I raised the fees \$5.00 per head. We are not trying to kill anyone here. We are trying to absorb some of the costs that we put into it.

Discussion to approve/deny the conditional use application submitted by the estate of Richard Lang regarding constructing a billboard on Steubenville Pike

Mgr. Bibro, I recommend that we table this motion since we did not complete the public hearing.

Discussion to appoint Deborah Dunn to the Library Board to complete a term expiring December 31, 2013.

Commissioner Cegelski, we had a resignation on the Board so she is replacing that vacancy.

Discussion to advertise changing the April meeting to Tuesday, April 2nd at 7:00 p.m. due to the Easter Holiday weekend.

CITIZENS COMMENTS (4 Minutes per person)

Charles Simm (34 Eichelberger Dr.), I was sitting at home last month watching the Township meeting and was very disappointed in what was going on. I want to know with the Solicitor, are you going to name one tonight?

Chairman Abatta, yes.

Mr. Simm, then I will not ask the question of the Solicitor that I was going to ask tonight. I will put it off for two months because I will not be available for the next meeting. My question to the Commissioners is, the bid on my job was \$125,000. The actual price that you people paid was \$189,000. This is a \$64,000 difference, yet I have not seen or heard any Commissioner question why that has gone up so much and why? I would like an answer on that.

Russell Cook (160 Helen St.), I just wanted to thank Mr. Bibro for his work here in the Township. He did a great job. We did not get off to a good start, but it ended up very good. I am here for a couple of safety issues concerning Helen St. They paved a portion of that road up at the top, which was not supposed to be paved until Helen St. was paved. It is getting cracked and there are potholes. When they came to repair the road, we had a water break there and the residents cannot get out due to this fact. That road is a paper road going out the other end. You have a shed on a paper road and I wondered why we cannot knock that shed down and put a road going out the other side so that the residents have another access to get out when there is work being done. Secondly, there is a lot of parking on that street and it is a very narrow street. We have a man who does a lot of work on cars and he ties up the street constantly. Residents cannot get past there. That is another reason why another access would be good for that street. I had a truck that was supposed to deliver a washer and dryer from Lowe's the other day and because of the parked cars, he could not get down the street and I had to go pick them up. It is a safety issue. If there is a fire down there, the trucks will never get down the road. Furthermore, that building up on McKees Rocks Rd., I mentioned it a few months ago with the wall falling down. They took care of some of the wall, but that building is a total eyesore when you come into Robinson Twp. If I owned a building like that, it would have been condemned, but for some reason that building is still up there. There is a house next to a church with trees growing out of the gutters, but nobody does anything about this. It is fortunate that we have a good police department and community that nobody has broke in there and started it on fire. I would appreciate if somebody could look into that and see what we can do about it.

Chairman Abatta, Steven Victor is next on the list. Before you start, I would like to get advice from my Solicitor. We are in litigation, so what are we allowed to talk about and what cannot we talk about?

Steven Victor (Stafford Park), this plan is well known to you, in that for the past 9 years you have spent a quarter of a million dollars of taxpayers money just to lose repeated court cases, four of which even went to the Commonwealth Court where you continued to lose. The fact that I have had to go to such lengths to record a subdivision plan, construct a development and to sell lots, is absolutely ludicrous. There should be no hesitation of the authenticity of the Stafford Park Plan as several of you were in the court room on September 28, 2012 when Judge James chastised you for not treating Stafford Park as a legitimate recorded plan. Despite his September 29th court order, you have now sunk to a new low by ignoring his order to issue building permits and certificate of occupancy. That order said "you shall issue both building permits and certificates of occupancy." Just six weeks ago you started ignoring this order and stopped issuing building permits. That is under litigation right now and hopefully the judge will answer that question quite soon. Today, you have gone one step further by denying Mr. & Mrs. Martin Hyatt, the owners of Lot 108, a certificate of occupancy by a letter that I have given to you this evening. This was given to Heartland Homes today. The points that I would like to counter in this letter, and I have identified them by 1 thru 9 on that, but basically item No. 1, Judge James has told you that there is no violation, Stafford Park Plan is the Plan of record. The differences on Item No. 2, yes there is a difference of opinion as to the rear yard and that was the reason for filing Plan No. 2. However, it was a 2 ft. differential in the rear yard. The third item is really a red herring. To talk about a 10 ft. utility easement, without acknowledging that 10 ft. utility easement is up against the road right of way, 30 ft. away from the 40 ft. building setback line, which you can see on the drawings that I have given you here, is just ridiculous to say that it even has any merit as to not issuing a certificate of occupancy. The discrepancies in Item No. 4 would think there is a great difference in the plan, ignores your own Township Engineer's November 2012 letter in which he did an extensive review, that I paid for, that said that the road line and property side lines are identical between the current recorded plan and the revision plan that was denied. To talk about discrepancies is a falsehood. The question on No. 5 is whether there is some concern regarding this building that we are placing. You will see on the building plan, the first exhibit that I have given you, you can see that the building itself is 10 ft. away from the two sideyard lines. If there are any discrepancies, which your engineer has already said there are not any, they are meaningless to the location of the building. The placement of the building, whether we go by the recorded plan or this pending plan of revision, means nothing to this case that you are trying to make.

Chairman Abatta, try to finish up Mr. Victor. You are approaching the deadline here.

Mr. Victor, I don't understand why you have spent some much time and taxpayer money and wasted so much of my life doing what you have done. I cannot even fathom why you could do this to Mr. and Mrs. Hyatt. What a great way to welcome the Hyatt's to Robinson Twp. There is one thing that is good that has happened. By your latest action you have put yourself closer to being liable personally for a civil rights lawsuit by your continued action and I wish you would change it.

Ryan Brogdon (Clever Rd.), I am a division manager for Heartland Homes. I would like to speak regarding the denial of the occupancy permit for Lot 108 in Stafford Park. Obviously there is quite some history with this plan and the Township, but in regard to the occupancy permit for this house, as Mr. Victor just spoke, the house is clearly situated within the boundaries on the lot, which you have the site plan for. It does not even come close to approaching minimum side yard or rear yard requirements, which the letter that was written today says "because of the two ft. discrepancy in the rear boundary, the house cannot be determined as to whether it violates the rear setbacks. That to me is absurd. As not only an employee of Heartland Homes, but as a resident of this Township, I cannot understand why such measures and why so many resources continue to be spent to delay the construction of over \$20 million in real estate revenue in the Township and deter numerous families from moving within or into the Township. Most importantly, as a result of this latest action by the Township, the lives of a family who were counting on moving into their brand new home in the Township, are now in limbo and they are going to lose hundreds, if not thousands of dollars in fees and penalties. That is all that I have to say.

Chuck Marks (541 Marks Dr.), I have a question Mr. Butya. A liable statement, if something you say would cause financial loss, is that considered a libelous action?

Solicitor Butya, I don't mean to be evasive, but I am not here to give legal advice to the citizens.

Mr. Marks, the reason that I am concerned, as a resident and a taxpayer, Mr. Forquer for the last two months made statements.....

Chairman Abatta, please Chuck, no personal attacks.

Mr. Marks, this was mentioned by a Commissioner on this Board and I will not say his name. He says that this plan was backfilled just to make it pastureland by DEP. What he fails to know is that DEP does not care how ground is compacted. All they care about is a specific slope and that the ground is put back to the minimum of pastureland. This Commissioner must have his wires crossed a little bit. This plan had two engineers working every day during compaction. There are compaction specification results. Every time that Heartland Homes buys a lot, they get the reports on the lot guaranteeing that the ground can hold that house. The situation that I am concerned about, there are 8 people that pulled out of that plan. You are up to \$4 million worth of houses. How many people are afraid of putting their houses on this ground because they don't want it to fall into oblivion because it was only backfilled as pastureland. This is totally false. The Township has the records of the compactions. If Heartland can get it, the Commissioners can get it as well.

Jerry Brouker (284 Coraopolis Rd.), I mentioned this last month, but I would like to stress again what a privilege it was to work with Aaron on the Board. It was the best hire that we made. The professionalism that he brought to our Board and to our administration and Township is going to be sorely missed. I hope that the Board makes a good decision and we do not go backwards in our hiring because we were very lucky to have him. I hope that you can replace him with someone good.

Secondly, I want to thank all of you for the unexpected pleasure of changing the meeting back to the rules that had existed for so many years as far as the Township comments go. Remember that Mr. Marks and myself were both thrown out of meetings for objecting to those. I am glad that you seen your way clear to do things the right way. The only suggestion that I would make moving forward on it is that maybe if we are going to be allowed to speak before any actions are taken, we might let the finance report get read first also so we know what that status is before we come up to speak in case we have any questions about that. Finally, I have been saying for the past few months about the Stafford Park situation and the potential legality from a personal standpoint that you can all get. You just heard Mr. Victor suggest that after all this time. I don't work for Heartland Homes and I don't work for Mr. Victor. I have no chance to ever own a half million dollar house anywhere, but I am a taxpayer and I live in this community and I served on this Board and we are wasting Township money by doing this. I hope that you see it clear to fix that as well.

Jack Cairns (Lewis Avenue), back in August the gas company came up and pretty much tore up Lewis Avenue putting the gas line in. They came back and did some patchwork here and there and they were out there today. Are there plans to re-do that road? It is a mess.

Mgr. Bibro, I will speak to Mr. Urbano this week because if the gas company tore up the road, it is their responsibility to put it back the way it was. We have a bond as well and if they do not do the work, we will make sure that it gets down. We will hold them responsible.

FINANCE UPDATE

The balance in the general fund as of March 4, 2013 was \$1,731,298. The market value of the police pension fund as of March 1, 2013 was \$11,276,609. Real Estate taxes collected for February were \$1,429.00. Year to date real estate is \$42,858. Since these are late payments for 2012 that were not turned over, we exceeded our 2012 budget for real estate which was \$4,400,000. by approximately \$30,000. Earned Income Tax collected for February was \$449,547. and year to date \$736,573. The highest amount that we have ever seen collected to the end of February going back to 2008 was \$268,000. I phoned Jordan after the receipt of January's payment, which was \$287,000 to make sure that the prior EIT or LST was not included in that transfer and was assured that was not the case. I was told that ADP does their transfer quarterly, but that does not explain

payments this large in the first two months of the year. Our budgeted amount for the year is \$2,200,000. The LST collected in February was \$61,410.00. The budget for the year is \$66,747. The Real Estate Tax collected by Jordan year to date is \$5,636.00 and the budget for the year is \$100,000. That is running a little bit slow right now. Real Estate taxes for the month were \$27,087 and year to date was \$126,961. The budget for transfer for the year is \$190,000. so we are off to a very good start for the year.

Chairman Abatta, did you mention Delinquent Taxes?

Vice-Chairman Forquer, what I said was that in Doug Perkey's report, he had some delinquent taxes but they were paid at the last minute, so that is in his report. There are some delinquent taxes that have been collected, but it is behind schedule right now. The amount collected so far is \$5,636.00.

BUILDING INSPECTOR/ZONING OFFICER REPORT

The February, 2013 Building Inspection Report is attached.

MOTION Cegelski, SECOND Forquer to approve the December 27, 2012 Board of Commissioner's continuation meeting minutes.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Forquer, SECOND Mapel to approve the February, 2013 Treasurer's Report.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Forquer, SECOND Mapel to approve the February, 2013 List of Bills

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Cegelski, SECOND Forquer to adopt Resolution No. 2 of 2013 approving the entry into a first amendment to the lease agreement with the Robinson Township Board of Library Directors for a portion of the Township's Municipal Building

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Forquer, SECOND Mapel to adopt Resolution No. 3 of 2013 recognizing Robinson Emergency Medical Service, Inc. as a civic and/or service association under the local options small games of chance act, as amended.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Forquer, SECOND Mapel to adopt Ordinance No. 2 of 2013 accepting the dedication of certain streets known as Walnut Drive and Hickory Circle in the McCormick Farms Plan of Lots No. 3

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Forquer, SECOND Mapel to adopt Resolution No. 4 of 2013 amending the Township's fee schedule in relation to rates at the Clever Park Swimming Pool per the recommendation of the Township Manager.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Forquer, SECOND Mapel to table action on the Conditional Use Application submitted by the estate of Richard Lang regarding constructing a billboard on Steubenville Pike Lot and Block 205-G-132 with the note that the Public Hearing that was held on March 4, 2013 was not completed and has been continued to April 2, 2013 at 6:00 p.m.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Cegelski, SECOND Forquer to advertise changing the April meeting to Tuesday, April 2nd at 7:00 p.m. due to the Easter Holiday weekend.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Forquer, SECOND Mapel to hire Sheri Sumpter and Bill Black as the swimming pool co-managers at a rate of \$8,500. for the season

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Cegelski, SECOND Forquer to appoint Deborah Dunn to the library board to complete a term expiring December 31, 2013.

ROLL CALL: Cegelski-Y, Mapel-Y, Shiwarski-A, Forquer-Y, Abatta-Y
M/C 4-0

MOTION Forquer, SECOND Mapel to appoint Bruce E. Dice & Associates as Robinson Township Solicitor effective immediately.

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

Vice-Chairman Forquer, Bruce Dice & Associates are the current Solicitor for Monroeville and a lot of other municipalities.

COMMISSIONER COMMENTS

Commissioner Cegelski's comments are attached.

Commissioner Mapel, Joan and I have been blessed with two beautiful daughters and we are very grateful for that, but if I had ever had a son, I would want him to grow up to be just like you. I have known Aaron socially and personally over the time that I have been on this Board and we could not ask for better representation of this Township.

I have also been invited to and accepted the invitation to go down and take a look at the Brothers Grimm. I was hosted by Mr. Taylor and I have to say that I am very disappointed that we have legal matters that go on and on unresolved and a waste of money and time when you can be much more efficient at resolving issues when we sit down and talk about things. I see no reason, and I am going to tread carefully on legal issues that still exist, but it is my opinion that we need to do what we need to do to resolve this. I have also instructed Mr. Urbano and I have left messages with Solicitor Butya to put effort into getting this resolved as soon as possible. I took a look around for the first time and I did see handicap accessible facilities and I see a nice establishment and there is no reason for this to go on. I would like to see this resolved as soon as possible. Additionally, responding to some comments that are made here in these meetings. You are not always going to hear me respond in a way to things that are said. I do not want to react. I want to have an opportunity to investigate and do some research and get my facts straight. That is why often times I will not speak to right of way. One of the things that we have are rules of decorum and we have eliminated that dialogue so that does not happen and I think it is a good policy to have. I think at some point it is necessary to respond after sufficient research and inquiries have been made so that we can at least let people know that their concerns are important to us as well and we are working on getting them resolved. With that said, when I began my term of office here on the Board a little over one year ago, this Township was struggling with three separate major legal issues. Conflicts between Robinson Township and the former Coventry Park, issues relating to the TIF Agreement with the Mall at Robinson and issues relating to expenses associated with the renovations of the Montour High School campus. All of these issues involve real estate related subject matter. All of the previous aforementioned examples have involved legal council and/or professional engineering expenses, not to mention the countless hours of paid employee hours. Over this period of time, as these matters have dragged on without resolve, the Township has spent hundreds of thousands of dollars and many attempts to bring these issues to amicable conclusions. With encouragement and confidence, I am here to say that less than three months since we as a Board chose to go in a different direction with our legal counsel. Today as I speak, issues with the Mall TIF and the Montour School District have been resolved. While formalization of those issues are in progress, we are focusing attention on the remaining issue of Stafford Park. As this matter has been taken back to court by the Developer, as

much as I would like to discuss it further, our attorneys have advised us not to speak to it at this time. I will say on the Stafford Park subject however, it continues to be my desire as well as others on this Board, to assist all developers in their efforts as long as they respect and abide by our ordinances. To those who feel the need to come to public meetings and encourage this Board to stop spending money on cases we cannot win, let me say this, it is for the court's to decide what we can win or not. We are obligated by law to enforce the ordinances that we have in place. We as a Board can repeal or amend ordinances, but we cannot simply ignore them and choose to allow our ordinances to be violated. Another option, which we have for the present chosen to pursue, is competent legal counsel to argue and win cases such as these.

At last month's meeting a resident made some particularly troubling remarks regarding the departure of two elected officials and two employees. Another resident with a letter to the editor of the PG West, made the same implication that these departures were due to and the result of lack of leadership from the Board of Commissioners. Comments such as these are not only untrue, but irresponsible as well. In every case, whether it be voluntary or otherwise, your elected officials are fully engaged in the monitoring of and execution of effective, efficiently operating local government. Comments such as these may be beneficial if they were based upon some facts as opposed to politically motivated opinions. Why do people stand here and ask us for change and then criticize when we give it to them? We are as a Board, completely in control of the decision making regarding all matters pertaining to your government. The days of political people behind the scenes manipulating and tampering with official business and your tax dollars, is over. As a candidate a couple of years ago, I made a commitment to those of you who believed in me when I said that I was an independent democrat. Keeping that promise has not gone without a price, a price that I have and continue to be willing to pay. I will not be told how to vote. I truly enjoy the opportunity and work associated with serving my neighbors and community. We have and will continue to make changes where necessary to give you the best government possible. When you stand here at a public meeting and exercise your right to free speech or write a letter to an editor with your thoughts and opinions of how we as elected officials are handling your affairs, don't stop short with your criticisms, bring something positive with you. Good ideas and encouragement are welcome as well. In closing, I would like to send a word of encourage out to the family of Ryan Heitzenriter. With a 14 year old daughter of my own, I cannot begin to imagine how difficult this must be for their family. Our thoughts and prayers are with the whole family.

Vice-Chairman Forquer, I too would like to send my condolences out to the Heitzenriter family for the loss of their son.

Litigation costs are important, but so are the reasons for litigation and the results. The latter was our reason for terminating the services of our prior solicitors. Some were not too happy with the Township when we filed suit against the Mall/JCP Associates concerning breaches of the TIF contract, so let me tell you what this agreement means and who is the biggest winner. The biggest winner of the settlement is the Montour School District, although the final accounting is not in, the settlement should result in the completion of the contract at least one year early. Due to the change in assessment and completion one year early, should result in \$1.83 million in TIF taxes to the school district. If it is two years early, it is going to be close to \$3 million. The settlement savings to the Township to the end of the contract would be \$326,000. Perhaps one of the most important parts of the settlement is that the Mall/JCP Partners agreed to waive their right to file any more tax appeals until the end of the contract. Although, I worked very hard and ended up being the lead negotiator for the Township, I cannot take all of the credit for the settlement. The settlement came about because of a suit filed by the Township and would not have happened without the support of the entire Board. I would also credit Maurice Strohl of the Redevelopment Authority for his input to push the settlement to the end of the contract. I asked Dr. Boyer to join us in the last two meetings and he also lent his input in the final settlement. Interestingly, the Treasurer of the Montour School District, Scott Seuss spoke at a prior meeting and said that the school district lost money because I would not support a prior settlement in which bonds would have been refinanced. That was not true because there was never a formal agreement to refinance the bonds made to the Township. I believe that it is also was not a plausible option because of the constant tax appeals that were being filed. Basically, the contract was not real stable because of that. We still have not resolved the underfunding issues with the Peripheral bonds. TIF tax dollars were being funded to that contract. Since 2001, approximately \$8.5 million were issued to developers and only \$8.3 is still owed. This was discovered in an audit that I requested by our financial manager. Currently all tax payments to the bond holders are being held as a result of our concerns in the Township escrow account and in a trustee account with BNY Mellon. They are being directed to do that by the Redevelopment Authority of Allegheny County. I understand that there should be a meeting soon with the stakeholders concerning that to discuss the settlement of that contract. Sometimes litigation is not going to be a situation that is going to result in recovering the amount of money that we spend like the TIF outcome. In order to enforce our ordinances, it may cost us money from time to time, but as a Township, we must provide oversight of construction and enforce our ordinances.

Aaron, I am going to miss you. We worked together from day 1 when I was elected and nobody was more surprised than me when I was offered to chair the finance committee as a rookie. You are a great guy to work with and very knowledgeable. Together we took a Township that had a balance forward in 2009 of about \$184,000 and then in 2010 the first year that I was elected, that went up to about \$1.7 million. In 2011 it was over \$2.0 and we know that we will be over that again. That is quite a change in the way things have

been running here. When you consider the fact that we have had some rising expenses. We have negotiated contracts and we have done a lot of others things and we still managed to build that extra money for a cushion. I think it is quite a turnaround.

Vice-Chairman Forquer thanked Solicitor Butya for stepping in and helping the Board get through issues.

Vice-Chairman Forquer read an email into the record from Frank Astorino who lives on Steubenville Pike regarding raising awareness of environment challenges such as climate change. He (Mr. Astorino) requested that the Township participate in earth hour, which includes turning off non-essential lights in and around government buildings, encouraging businesses as well as residents to participate. He has a website which is worldwildlife.org/earthhour.

Chairman Abatta, I would just like to close with some comments also. As the Board as eluded to, my thoughts and prayers go out to the family of Ryan Heitzenriter. It is just not the way that things should happen, for a parent to bury a child. That is unthinkable and I can only imagine what they must be going through. God bless him and give strength to his family.

Aaron, kudos to you. I know that we have talked about some of the things that you have done throughout your tenure. To be honest with you, I always knew that you were not destined long for Robinson Township. I think that I am the one that told you to stay involved in all of your professional organizations, keep doing the job that you are doing because I think what is in store for you is something bigger and better. Obviously we are going to miss you. Our loss is Philadelphia's gain. What I have done is put together a little going away party for you. It will be on March 22nd at 1:00 p.m. Working with Ms. Merks we are working on setting up some kind of going away party for you. It will be held in the Board room. At this point in time, I would like to invite all of the people who have so graciously worked with you, the Road Dept., the Parks people, Engineering, anyone who has anything to do with you and what you have done, Police included to stop by and have a little feast and goodbyes.

The Easter Event will be held at Clever Park on March 30th from 1:00 p.m. to 3:00 p.m. at the Rotary Shelter at Clever Park. A giant easter egg hunt will begin at 1:00 p.m. There will be photos with the Easter Bunny along with a variety of games and light refreshments. Thanks goes to the Forest Grove Fire Dept. who will provide VIP transportation for the Easter Bunny.

Robinson Parks Board will sponsor a youth dance on Saturday, April 6 at the Moon Run Fire Hall located on Steubenville Pike. Admission is free and refreshments may be purchased at a nominal price. This will be from 6:30 to 9:30 p.m. and parental permission slips are available on the website or at the Township Administration Dept.

Robinson Township's annual community flea market will be held on May 18th. If you wish to be a seller, please visit our Township website for an application.

The 11th Annual Autumn Festival will be held on September 14th. If you or an organization participated as a vendor at the 2012 festival, your application will be automatically mailed sometime in May. New vendor applications will not be available until July.

In the same vein, I am Parks & Recreation Chairman and I met with Mr. Jerry Dulac. He is a sports commentator and does a fantastic job. He and Sam Duerr from Parkway West Rotary are sponsoring the golf outing. The outing will be Monday, July 29th at the Sewickley Heights Golf Club. I am promoting this through this venue right now because the money that was raised last year and the money to be raised this year, is going to be benefiting the Robinson Township Parks & Recreation Dept. and Parkway West Rotary charities. They are proposing an outdoor stage, which would be very useful for our Autumn Festival. They will erect a stage, therefore eliminating our need to borrow a stage for our festival as we have done in the past. Hopefully, we will have a successful turnout.

I am a member of the Allegheny County Vision Team. This is a group of officials from different areas inside the City of Pittsburgh and Allegheny County that express their concerns to the County Development Organization to help foster and promote what specific issues each Township or municipalities may have. I will bring this to the next meeting and highlight how Robinson Township will benefit from it. County Executive Fitzgerald was the co-author of this event and any time we can get help for Robinson Township, I am going to do whatever I can do to make it worthwhile. I will be attending the next meeting on March 6th.

I receive letters and I get calls, some good and some not so good. A letter that I received came from the Scott Township Police Dept. I am not going to read it verbatim, but I will paraphrase. There was a situation that happened with a chief of police in Scott Twp. and one of his relatives. I am not going to put it out there exactly what happened, but one of our officers, Rick Kadlecik is due some kudos here because some of the things that he did to alleviate some of the things that were happening to this individual, who was not a Township resident by the way, tells me that I am very proud of these young individuals that we have working in our Department. They go above and beyond the call of duty. The letter that I received gives kudos exactly to Mr. Kadlecik. I am going to make sure that this goes in his file and I am very happy with what he has done.

Also, there is a fundraiser that is going to be held in Kennedy Township for the different fire departments. What I have done and what Aaron is going to do is give us a donation so that we can support, not only our local firemen, but also the firemen from Kennedy Twp. If we did not have these three fire departments, we would be spending a ton of money. These three departments are all volunteer and they do a fantastic job. This event will be held in April. There will be notification of this on the website if you wish to attend.

The next COG meeting will be held on March 21, 2013 at 7:15 at Kennedy Township.

There was an article in the Post-Gazette on February 22nd that stated “Allegheny County accepts land for proposed Montour Run Park.” Basically, this is going to be an entity that will be located past Groveton Village. There is a tract of property there that is basically undeveloped. The Redevelopment Authority of Allegheny County has accepted a \$500,000 from the Sports Legacy Foundation. The money will go towards engineering and construction costs for the first playing field to be build and the new recreation complex. Not all of it is in Robinson Township. Some of it is in Moon and some in Coraopolis. We are always looking for fields and different venues for our young adults. This is a worthwhile cause also.

Lastly, I received a letter from a resident that I went to high school with and played football with. Let me read this to you and it is self-explanatory. It is dated February 26, 2013. “Dear Mr. Abatta: Would you please make the following public announcement at the regular Robinson Township monthly meeting. The Athletes of Action Organization would like to invite individuals to our 4th Annual Memorial Scholarship Luncheon on Saturday, April 6, 2013 at the Kennedy Township Fireman Banquet Hall, Pine Hollow Rd., Our mission is to promote Christian values, perpetuate the legacies of athletes and coaches from our communities, provide scholarships to scholar athletes from the Montour and Sto-Rox School Districts. During the last two years of our organization, we have awarded \$7,000 to five scholar athletes from Montour and Sto-Rox. Our 2012 was a Montour graduate, Jared Ellis, who is currently majoring in biology and pre-med at the University of Pittsburgh. In addition, we have donated monies to local Boys and Girls community sports teams and sponsored a Thanksgiving and Christmas luncheon for 75 needy families in our community. This year’s luncheon begins at 10:00 a.m. with meet, greet and re-connect socially, followed by a catered buffet lunch at 11:30 a.m. Our speakers will include West Virginia Sports Radio Talk Show Host Corky Griffith and keynote speaker, former Pittsburgh Steeler linebaker Robinson Cole. We also offer a golf raffle ticket for three opportunities to win free golf packages at Nemicolin, Oglebay and the Club at Shadow Lakes. If you are interested in attending the fellowship luncheon, please contact Bob Zitelli at 412-771-8937.

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In closing, I would like to personally congratulate Coach Adam Kaufman and the Montour High School Basketball Team. I think this is the second year in a row that they won the WPIAL. Last year we brought them in to recognize them, so the first item of business for your successor will be to bring them back.

MOTION Forquer, SECOND Mapel to continue the meeting until March 14 at 5:30 p.m.

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

M/C 4-0

Meeting was adjourned.

Sincerely,

Carol Merks
Secretary