

BOARD OF COMMISSIONERS MEETING  
MONDAY, AUGUST 6, 2012

CALL TO ORDER: Chairman Samuel Abatta called the regular meeting of July 2, 2012 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

ENGINEER'S REPORT

The Engineering Status Report from Remington, Vernick & Beach dated August 6, 2012 is attached.

The 2011 Road Program is progressing. Work has been completed on Silver Lane and Williams Drive. Roads that are yet to be completed are Parkway View Drive, East Windhaven Road, Buratti Drive and Geyser Road. Public Works is doing some of the base repairs on those roads and they will be completed near the end of summer.

No new information regarding The Oaks or Oak Ridge Estates Plan of Lots.

The Emergency Action Plan for Lake Steuben has been received from DEP.

Commissioner Cegelski and Chairman Abatta complimented the work done on Silver Lane and Williams Drive.

Engineer Meyer responded that the Public Works Department, El Grande Construction, and the inspectors from Remington, Vernick & Beach were all instrumental.

POLICE REPORT BY CHIEF VIETMEIER

A copy of the July 2012 Police Report is attached.

Chairman Abatta requested that Chief Vietmeier look into the flea market that is set up occasionally on Montour Run and whether it is legal. He also asked him to check on whether it is legal to park and sell cars along the Beaver Grade Rd./Montour Run roadway.

Chief Vietmeier stated that the flea market does have a permit. As far as the cars being for sale, it is PennDOT property. He has not had any complaints about it and has seen vehicles down there for sale. The vehicles are properly registered. It is private property

owned by somebody so we do not have the right to go in and tag and tow those vehicles. If the property owner complains, they can be tagged.

Solicitor Garvin, unless they can demonstrate that they have the permission of the property owner to the extent that they are on private property and unless the property owner has some sort of right under zoning to operate basically a used car lot, it does not seem to me that it should be permissible. If it is in the right of way, it is not permissible either.

Chairman Abatta, it started with one and has progressed. I don't want to turn the Township into a used car lot.

Commissioner Shiwarski, if I am correct, if it is one property owner, there is a stipulation as to the number of cars that can be for sale without having a licensed building, etc. If they are located on the same person's property, that may be a way to alleviate that problem.

#### ADMINISTRATIVE UPDATE

Mgr. Bibro, we have two presentations this evening, so my update will be condensed. I just wanted to mention that the air conditioning unit in the boardroom has been repaired and should be more comfortable. Also, there have been upgrades to the TV audio and video relating to the meeting. We have invested a decent amount of money in the last month to upgrade our facilities and hopefully everyone at home will notice the difference in sound and video quality.

#### TOWNSHIP SOLICITOR'S REPORT

Solicitor Garvin, with your permission Mr. Chairman, I would like to make some comments regarding some matters that have transpired over the past few months.

Solicitor Garvin, initially, I found the need to address a comment that was made by a resident during the public comment period last month. The comment indicated that the Township had received a letter from the American Civil Liberties Union regarding its public comment policy. I can state absolutely and unequivocally, that letter has never been received by the Township. The letter does not exist and I have no idea what this resident was referring to. Beyond that, the Township has not received any letters from any attorneys or any agencies complaining about the policies that were adopted by the Township under the Sunshine Act. There are specific requirements under the Sunshine Act for these complaints and we have not received any. To the extent that there is any confusion in anyone's mind with regard to any of these policies that we have adopted, I can tell you that we have not been put on notice by anybody in any official capacity that we violated anything and specifically, we are not in receipt of a letter from the American

Civil Liberties Union concerning the same. Beyond that, I would like to comment on the recent Resolution setting forth the procedures and requirements for public comment. Contrary to what some people may be thinking, the sole reason behind these Resolutions were to establish a structure and procedure for the public comment portion of the Township's agenda for its business meeting that was compliant with the Sunshine Act, as well as acknowledging persons free speech rights that they have in this limited forum. Public comment means exactly that, not playing twenty questions or attacking or defiling someone for any matter. It is public comment and not an opportunity to debate or even bait this Board. The Sunshine Act is explicit. We are only obligated to permit comments from residents and taxpayers on any matter of concern, official action or deliberation which appears on the agenda. That is exactly what this Board did. Beyond that, we permitted within the confines of the Resolution, basically requiring decorum, appropriate behavior by those making comments to permit the residents and taxpayer the right to comment on other matters. There may have been dissatisfaction as to when and how this was going to occur, but no resident or any verified taxpayer, was denied any opportunity at any time to speak. I and my office, have been thankfully and gratefully associated with this Township probably for more than 25 years. In January 1, 2012, a new Board of Commissioners was seated. A new chairman was elected by this Board and Commissioner Mapel was seated as a result of his election in 2011. In February 2012, Commissioner Cegelski was seated after the sudden unexpected departure of Commissioner Triko. Accordingly in my view, there was a new Board seated and in place as of at least February 2012. The intent of this Board in adopting a series of Resolutions was to establish and maintain a business-like meeting of the Board of Commissioners, rather than something that at times resembled something less than that over the past several years. Hence, we now have one business meeting in which residents can hear the Board discuss and debate matters of public concern, which they intend to act upon and then the public can provide their comments on these matters of public concern before there is official action. Finally, when the important business work of the Board is concluded, residents and taxpayers can comment on matters of concern, within the rules established, which basically require that the person act in a dignified fashion in recognition that this is a business meeting of the Board of Commissioners of the Township of Robinson. Finally, there has been some criticism of how executive sessions have been announced. As I said before, my firm has had a long association with this Township and I can tell you unequivocally that any executive session that I attended, included only executive session matters. This Board routinely deals with personnel matters, grievances and a multitude of litigation matters and collective bargaining agreement issues, all of which are executive session matters. We have never received any notices of violations of any of these matters. So as long as I am sitting here, whatever occurs in an executive session, will be absolutely compliant with the requirements under the Sunshine Act. Thank you for letting me have the opportunity to indicate this in the form of a comment by the Solicitor.

Chairman Abatta, thank you Mr. Garvin. That was well said. I am sure that everyone has heard exactly what you have said.

THE BOARD OF COMMISSIONERS CONDUCTED AN EXECUTIVE SESSION ON AUGUST 6, 2012 FROM 5:30 P.M. TO 7:00 P.M. TO DISCUSS LEGAL MATTERS, DOCUMENT NO. GD12-011597. THE BOARD WILL TAKE OFFICIAL ACTION, IF ANY, FROM THIS EXECUTIVE SESSION DURING THIS MEETING.

Discussion regarding approval of the July 2, 2012 Board of Commissioners Special Meeting Minutes as submitted

Discussion regarding approval of the July 2, 2012 Board of Commissioners Regular Meeting Minutes as submitted

Discussion to approve the July, 2012 Treasurer's Report

Discussion to approve the July 2012 List of Bills

### **NEW BUSINESS**

Chairman Abatta, at this time, I am going to ask Mrs. Tallon to join me. Let me read this first and then I will come back up and we will discuss Item No. 12

Discussion to adopt Resolution No. 18-2012 dedicating the upper utility field at Burkett Sports and Recreation Complex as the Daniel P. Tallon Memorial Field.

Chairman Abatta read the Resolution, which formally will name the upper utility field at Burkett Sports and Recreation Complex in honor of Daniel P. Tallon who served as a Commissioner for a period of 12 years, holding the position as Chairman from 2008 thru 2011. Chairman Tallon spearheaded the renovation of the Burkett Sports and Recreation Complex.

Mrs. Jane Tallon thanked the Board on behalf of Dan and his family.

Chairman Abatta, I would just like to say that if this Resolution passes, as it is on the agenda later this evening, we will be making a presentation at the September 15<sup>th</sup> Autumn Festival. We will have Dan's name on the scoreboard and some type of monument recognizing the dedication. It was imperative for me to get this moving. I was a personal friend of Dan's, but as the Resolution says, he spearheaded a lot of things for the Parks and Recreation Board and a lot of his time and energies went into the facility that we have right now. A public presentation will be done on September 15<sup>th</sup> at that field.

### **PRESENTATION BY INDUSTRIAL SCIENTIFIC**

Kent McElhattan, Chairman of Industrial Scientific conducted a power point presentation

He stated that the objective of the business is to eliminate death on the job. They produce gas monitoring devices, both fixed and portable. They currently have 900 employees in 22 countries. They have a major presence in United States, France, China and Germany. There are manufacturing facilities in all four countries. Sales in 2012 will be over \$200 million. The reason they are hoping to move is because they are currently spread out in four facilities in Pittsburgh and logistically it is difficult and inefficient. They will shut down the other 4 facilities and consolidate onto one campus.

Roger Pearson (Director of Planning, IDC Architects), the proposed building will be 330,000 sq. ft. On the west side of the property will be a three level parking garage. There is also surface parking on the site. There are two faces to the building, one the Parkway, and the other on the Bayer Rd. site. They will be designed in different ways, the Parkway being more manufacturing and the Bayer Rd. entrance being the public and more suburban entrance. The building will be four or five levels.

Discussion to approve a Waiver Request submitted by Industrial Scientific Corporation, seeking a waiver from Section 300-129(c) of the Township's Zoning Ordinance which requires one deciduous tree be planted for every existing tree that is removed that is four inches in diameter and one foot above the ground or larger. Industrial Scientific has agreed to tree replacement in accordance with a landscape plan submitted as part of its Site Plan as recommended by the Planning Commission.

Discussion to approve a Waiver Request submitted by Industrial Scientific Corporation seeking a waiver from Section 300-129(f) of the Township's Zoning Ordinance which requires at least ten feet of landscaping per car space and one tree for each ten parking spaces installed. Industrial Scientific has agreed to tree replacement in accordance with a Landscape Plan submitted as part of its Site Plan as recommended by the Planning Commission.

Discussion to approve a Waiver Request submitted by Industrial Scientific Corporation, seeking a waiver from Section 300.88(e) (2) and Section 300.91 of the Township's Zoning Ordinance which requires the establishment of a plant buffer along certain property lines. Industrial Scientific has requested a waiver of the buffer requirements with respect to the North property line which abuts Interstate 376, as the property line is already heavily vegetated and on a 2:1 slope as recommended by the Planning Commission.

Discussion to approve a Waiver Request submitted by Industrial Scientific Corporation, seeking a waiver from Section 250.54 (a) of the Township's Zoning Ordinance which requires all storm pipes to be in place at a 1% slope. The Site Plan as submitted by Industrial Scientific currently meets the Township Ordinance for this requirement. However; Industrial Scientific requests a Waiver if it determines during construction activities that pipes can be installed at a 0.5% slope to avoid excessive excavation.

Industrial Scientific agrees to submit as part of the Waiver Request, engineering documentation and evaluations to the Township Engineer for approval of installation of certain pipes at a 0.5% slope if they desire to install such storm pipes at a slope less than 1%.

Engineer Meyer, normally why it is 1% is because you want to have a certain velocity in your pipes. That is determined by a lot more things than just the 1% slope. The key terminology that this should be defined at is you should have about 2.5 ft. per second in your pipe. Even though slope is one of the ways to determine velocity, it is actually the outcome that is the most important part of the equation. In that sense, that is what we would be looking for to make sure that the pipe installed would have a minimum of 2.5 ft. per second as opposed to just saying 1%.

Mr. Urbano, the Township Engineer did recommend approval of the waivers through the Planning Commission.

Discussion to grant Conditional Approval of the Industrial Scientific Site Plan subject to the following conditions:

- (a) Execution of a Developer's Agreement in a form and content acceptable to the Solicitor which will incorporate bonding requirements as agreed to by the Township Engineer for any public and private improvements established in connection with the project.
- (b) Receipt of evidence of obtaining sufficient sanitary sewer EDUS to provide full sanitary sewage service for the Industrial Scientific Project with flows acceptable to Industrial Scientific and the Municipal Authority of the Township of Robinson.
- (c) Evidence of receipt of all required state, county and local permits required for the Industrial Scientific Project

Adele Beaves (CEC), we are the civil engineers for the project. We have been working with Mike Meyer and Rick Urbano closely over the past several months and we appreciate their guidance on the project. Most of the waivers pertain to the landscaping due to the fact that there is an extensive amount of planting shown on the landscaping plan and we have attempted to plant out the site to the maximum extent possible, while still allowing for the trees to survive and to make sure of the existing vegetation that is surrounding the site. As far as the slope request, it was recommended that we obtain that in the event we would have to make some minor changes during construction. We designed the site not to need that, but if certain situations arise, we will have it.

Engineer Meyer, we went over all of this carefully and any time there was a solution to get this and not have a waiver, it was done by Industrial Scientific. They are looking at this as a showcase, and they are going to landscape it accordingly.

Commissioner Cegelski, before voting on these, I do appreciate all of the information that was provided. We do not take any of these issues lightly.

Mr. Urbano, this is a very unique piece of property to develop. There are approximately 24 acres and they are using 14 of it. It is very expensive and well laid out. A lot of time has gone into this.

Chairman Abatta, as long as we followed our ordinances as close as we possibly could.

Discussion to approve the payment in the amount of \$132,944.66 to Suit-Kote Corporation for crack filling and micro sealing as part of the Robinson Township 2012 Road Program as recommended by the Public Works Foreman and the Township Manager.

Mgr. Bibro, this was a new product that we used for the first time. We used it on a sample of roads, most notably the Cobblestone area, West Harbison and a few others. I received a lot of positive feedback. The stumbling block that did occur was that the day they put this down it was about 95 degrees and it was very hard for the material to firm up for cars to drive on it. We did have some issues, especially in Cobblestone so we did have some tire marks that went onto the driveways of private residences. I would like to thank our public works department who came out after the fact and cleaned the driveways of all the residents that had this issue, as well as Suit-Kote who came back a day or so later and put down another layer. So far everything has been pretty positive with this new material and we will probably use it next year. They say that it extends the life of a road by 8 to 10 years for a much lesser cost than repaving and milling.

Discussion to advertise Ordinance No. 6 of 2012 amending Section 300-75 Area and Bulk Requirements by providing for a three (3) acre minimum lot area requirement for a hotel in the C-3 Planned Commercial/office/Multiple Family District.

Discussion to schedule a public hearing on Wednesday, September 19, 2012 at 8:30 a.m. for Ordinance No. 6 of 2012 as stated in the previous agenda item.

Discussion to approve the payment in the amount of \$523,015.48 to El Grande Industries, Inc. for portions of the 2011 and 2012 road program as recommended by the Township Engineer.

The Board complimented the Public Works Department as well as El Grande Construction for their excellent work on the road program.

Discussion to approve the purchase of a 2013 Peterbilt 348 Dump Truck from Hunter Truck Sales & Service, Inc. in the amount of \$149,894. The terms of the financing or lease to own package will be approved at the September, 2012 Board of Commissioners meeting.

Commissioner Shiwarski, they will be replacing Vehicle # 7, which is a 1994 and we will use as a trade-in and Vehicle #2 is a 1989 International which has sat idle for the past two years because it has not been able to pass inspection. These are not additions, they are replacements.

Chairman Abatta, are these state bid prices?

Commissioner Shiwarski, I believe we are piggybacking on a state contract.

Mgr. Bibro, that is correct. The reason that the financing will be approved at the next meeting is because we had to commit to these truck to get them equipped and ready before the winter hits. Also, per the request of Commissioner Cegelski that came up a few meetings ago. We are going to shop around some rates from local banks to do the financing so we can support some of the local companies. I did not have enough time from when I met with Joe to this meeting in order to do that, but I will have it ready for the Board to vote next meeting.

Discussion to approve the purchase of a 2013 Peterbilt 367 6X4 Dump Truck from Hunter Truck Sales & Service, Inc. in the amount of \$182,480. The terms of the financing or lease to own package will be approved at the September 4th Board of Commissioners meeting.

Discussion to adopt Resolution No. 19 of 2012 adopting a revision to the official sewage facilities plan and submitting to the Department of Environmental protection for its approval for the upgrade of the Dendron Drive and Douglas Hill pump station.

Commissioner Mapel inquired as to why this is coming before the Board?

Solicitor Garvin responded, this is the first that I have seen this so I am not really comfortable in talking about it.

Engineer Meyer, this is the first that I have seen it as well. Normally when you are upgrading a sanitary sewage pump station if they are doing a site plan, you would have to get something from DEP. I am not sure if this is just to upgrade the pumps or if it is to put something new on the property. I think it is something that I really need to look at.

Table Item #24 to September meeting.

Discussion to approve the Airport Corridor Transportation Right of Way Plan that will result in the Township receipt of additional right of way required for the project from IKEA. The right of way will be donated by IKEA. Approval of the plan is subject to the Township Engineer's approval.

Mgr. Bibro, this is the project that ACTA has applied for on behalf of the Township. They are in the stage where we need to sign off on taking some of the right of way. This

was just given to us this morning and that is why it was added to the agenda. We do not want to hold this project back with PennDOT when we have \$1 million coming our way.

Discussion to approve the entry into a road use agreement with Brascum American, Inc., Ashland, Inc. and Beazor, Inc. related to Hickman Rd. and subject to final approval of the form and content of the agreement by the Township Solicitor and final approval of bonding requirements by the Township Engineer.

Solicitor Garvin, apparently there is an industrial cleanup that needs to occur on Hickman Rd. on some property. In order to do that, there are going to be significant triaxle trucks bringing in a whole lot of dirt and removing dirt. This is part of a DEP cleanup plan. I understand that Hickman Rd. is in bad shape. Engineer Meyer has not been involved in this as yet. We will need to get the road tested and then bonded. The purpose of this agreement is to basically permit trucks to use this road and then bond the integrity of the road. There is a chance for significant damage to the road because of its current condition. I will need Engineer Meyer's input to see what would be appropriate to bond this.

Mr. Urbano, my concern is the number of trucks going up Hickman Rd. It is not just the bonding thing, but a number in case we have to reconstruct the road. The road was upgraded when the plan was done at the top of the hill. We need an agreement that will cover costs if we totally need to reconstruct Hickman Rd. I had the school district in here about the buses. Everyone is concerned about safety so now we need them to core drill the road, see what we have and discuss it with our Township Engineer. The people who sold the contaminants to the property owner were cited because it was dumped illegally and now they have to pay for the cleanup. They will have to pay for all costs involved, including roadway testing.

Commissioner Mapel, this is very disappointing because if it is what I think it is, this contamination has existed for about 30 years. There has been major development work and a sizable amount of money has been spent on a portion of that road prior to this being cleaned up. That is our tax dollars.

Mr. Urbano, that is why I am having this agreement put together. I need to have approval from the Board to let them core drill the road so we can put this in play and see what the damages are going to be.

Discussion to schedule the Board of Commissioners Meeting for September 4, 2012 at 7:00 p.m.

CITIZENS COMMENTS (Agenda Related)

None

### FINANCE UPDATE

Vice-Chairman Forquer, the balance in general fund of this morning was \$3,303,940. The market value of the police pension fund as of the close of business on August 3<sup>rd</sup> was \$10,177,432. This is up from the June 2012 report, which was \$10,084,263. The June Treasurer's Report EIT transfer of \$98,656 was reported, which brings the combined total for the year to date to \$1,468,041. Compared to year to date last year we are \$63,000 up. The LST collected in July was 0, which brings the year to date total for that to \$348,206. Compared to last year at the end of July, the year to date collection is down \$136,000. Centax is having a lot of trouble with collection and my guess is that our LST is not as important to them as some of the other big fires they are trying to put out right now. Hopefully we will get these issues resolved with them. I believe we need to look at someone else to do that next year. The real estate taxes, including interim collected for July was \$99,672. The year to date is \$3,947,607. This collection is up \$309,000 compared with last year. Real Estate Delinquent Tax collected by Jordan for July was \$10,000 and the year to date is \$172,847. This is over the budget for the year, which was set at \$75,000. They are doing a good job.

Chairman Abatta requested that Mgr. Bibro contact Bob Villella (Centax) and find out where our funds are. There are numerous boroughs and townships involved, but I am concerned about our people here in Robinson.

### BUILDING INSPECTOR/ZONING OFFICER REPORT

A copy of the July, 2012 Building Inspector/Zoning Officer Report is attached.

MOTION Shiwarski, SECOND Forquer to approve the July 2, 2012 Board of Commissioners Special Meeting Minutes as submitted.

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

MOTION Shiwarski, SECOND Forquer to approve the July 2, 2012 Board of Commissioners Regular Meeting Minutes as submitted.

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

MOTION Cegelski, SECOND Forquer to approve the July, 2012 Treasurer's Report.

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

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

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

MOTION Forquer, SECOND Shiwarski to adopt Resolution No. 18 of 2012 dedicating the upper utility field at Burkett Sports and Recreation Complex as the Daniel P. Tallon Memorial Field.

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

MOTION Forquer, SECOND MAPEL to approve a Waiver Request submitted by Industrial Scientific Corporation, seeking a waiver from Section 300-129(c) of the Township's Zoning Ordinance which requires one deciduous tree be planted for every existing tree that is removed that is four inches in diameter and one foot above the ground or larger. Industrial Scientific has agreed to tree replacement in accordance with a landscape plan submitted as part of its Site Plan as recommended by the Planning Commission.

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

MOTION Cegelski, SECOND Shiwarski to approve a Waiver Request submitted by Industrial Scientific Corporation seeking a waiver from Section 300-129(f) of the Township's Zoning Ordinance which requires at least ten feet of landscaping per car space and one tree for each ten parking spaces installed. Industrial Scientific has agreed to tree replacement in accordance with a Landscape Plan submitted as part of its Site Plan as recommended by the Planning Commission.

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

MOTION Shiwarski, SECOND Forquer to approve a Waiver Request submitted by Industrial Scientific Corporation, seeking a waiver from Section 300.88(e) (2) and Section 300.91 of the Township's Zoning Ordinance which requires the establishment of a plant buffer along certain property lines. Industrial Scientific has requested a waiver of the buffer requirements with respect to the North property line which abuts Interstate 376, as the property line is already heavily vegetated and on a 2:1 slope as recommended by the Planning Commission.

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

MOTION Shiwarski, SECOND Forquer to approve a Waiver Request submitted by Industrial Scientific Corporation, seeking a waiver from Section 250.54 (a) of the Township's Zoning Ordinance which requires all storm pipes to be in place at a 1% slope. The Site Plan as submitted by Industrial Scientific currently meets the Township Ordinance for this requirement. However; Industrial Scientific requests a Waiver if it determines during construction activities that pipes can be installed at a 0.5% slope to avoid excessive excavation. Industrial Scientific agrees to submit as part of the Waiver Request, engineering documentation and evaluations to the Township Engineer for approval of installation of certain pipes at a 0.5% slope if they desire to install such storm pipes at a slope less than 1%.

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

MOTION Mapel, SECOND Forquer to grant Conditional Approval of the Industrial Scientific Site Plan subject to the following conditions:

- (a) Execution of a Developer's Agreement in a form and content acceptable to the Solicitor which will incorporate bonding requirements as agreed to by the Township Engineer for any public and private improvements established in connection with the project.
- (d) Receipt of evidence of obtaining sufficient sanitary sewer EDUS to provide full sanitary sewage service for the Industrial Scientific Project with flows acceptable to Industrial Scientific and the Municipal Authority of the Township of Robinson.
- (e) Evidence of receipt of all required state, county and local permits required for the Industrial Scientific Project
- (f) Receipt of evidence of obtaining sufficient sanitary sewer EDUS to provide full sanitary sewage service for the Industrial Scientific Project with flows acceptable to Industrial Scientific and the Municipal Authority of the Township of Robinson.
- (g) Evidence of receipt of all required state, county and local permits required for the Industrial Scientific Project

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

MOTION Shiwarski, SECOND Forquer to approve the payment in the amount of \$132,944.66 to Suit-Kote Corporation for crack filling and micro sealing as part of the Robinson Township 2012 Road Program as recommended by the Public Works Foreman and the Township Manager.

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

MOTION Shiwarski, SECOND Forquer to advertise Ordinance No. 6 of 2012 amending Section 300-75 area and bulk requirements by providing for a three (3) acre minimum lot area requirement for a hotel in the C-3 Planned Commercial/Office/Multiple Family District.

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

MOTION Shiwarski, SECOND Forquer to schedule a public hearing on Wednesday, September 19, 2012 at 8:30 a.m. for Ordinance No. 6 of 2012 as stated in the previous agenda item.

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

MOTION Mapel, SECOND Forquer to approve the payment in the amount of \$523,015.48 to El Grande Industries, Inc. for portions of the 2011 and 2012 road program as recommended by the Township Engineer

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

MOTION Shiwarski SECOND Forquer to approve the purchase of a 2013 Peterbilt 348 Dump Truck from Hunter Truck Sales & Service, Inc. in the amount of \$149,894. The terms of the financing or lease to own package will be approved at the September 4, 2012 Board of Commissioners Meeting

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

MOTION Cegelski, SECOND Forquer to approve the purchase of a 2013 Peterbilt 367 6X4 Dump Truck from Hunter Truck Sales & Service, Inc. in the amount of \$182,480. The terms of the financing or lease to own package will be approved at the September 4, 2012 Board of Commissioners meeting.

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

MOTION Forquer, SECOND Shiwarski to approve the Airport Corridor Transportation Association Right of Way Plan that will result in the Township receipt of additional right of way required for the project from IKEA. The right of way will be donated by IKEA. Approval of the Plan is subject to the Township of Engineer's approval.

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

MOTION Forquer, SECOND Shiwarski to approve entry into a Road Use Agreement with Brascan American, Inc., Ashland Incorporated and Beazer, Inc. relating to Hickman Rd. and subject to final approval of the form and content of the Agreement by the Township Solicitor and final approval of bonding requirements by the Township Engineer.

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

MOTION Mapel, SECOND Shiwarski to schedule the September 4, 2012 meeting at 7:00 p.m.

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

NON-AGENDA CITIZENS COMMENTS

Chairman Abatta, just to remind people that the rules of decorum will be followed to the letter of the law.

RUSS COOK (160 Helen St), I had some issues with vegetation problems concerning my property. The code enforcement officer looked at the property and felt there was no action that needed to be taken. I contacted the Township Manager and he basically did not want to come out and look at the problem that I have.

Mr. Cook distributed pictures of his property.

Mr. Cook, this was abandoned property for many years. I took care of it for 25 years. I cut the grass and maintained it. The property came up for Sheriff Sale and I was not aware of it because there were some shady things that went on. Somebody bought the property and it is just going to rot. I have rodents coming on my property that I never had before. I have tenants in my duplex down there who are complaining constantly, but yet the Township Manager feels that it is not a problem. I do not feel that I have been treated very well. My second issue today is about a portion of road on Helen St. that was paved last week after I had a talk with Mr. Bibro about one month ago. About four years ago, this citizen took it upon himself to rip it up with a bulldozer and make it into a private road. At that time I had surveyors come down, Commissioners and Mr. Charnovich at the time. I also had Mr. Urbano there and the road crew. At that time it was discussed that this road would not be paved with taxpayer money until all of Helen St. was paved. It was overlooked and I want to know who is responsible for paving this road and overstepping the Commissioners decisions of four years ago. Our taxpayer dollars went to pave this road after he ripped it up personally. He was taken to court and I was told at the time that I did not need to show up because everything would be taken care of. You have a building at Route 60 and McKees Rocks Rd. that is falling over. There is a house there that has trees growing out of the gutters, but nobody does anything. I think our vegetation codes should be enforced a little bit stronger.

RALPH BOGATAY (1100 Statia St.), I was wondering about your hiring policy for summer help. Is that high school and college kids?

Chairman Abatta, yes.

Mr. Bogatay, last year my son was working for the parks department and Mr. Bonkowski stopped and asked me if he was going to reapply. He said that he was one of his best workers. We stopped at the Township and picked up an application. My son filled it out and we brought it back up and then Joe stopped down and said that they cut back on 10 people and he apologized for not being able to hire him. I understand that, but do you have a Merle Tournay working for you on the parks department and he works for the school district? How do you justify a teacher working part-time and taking a high school or college kid's job? My son is 16 years old and went to Allegheny County Fire

Academy. He had all of his courses. He has one more when he is 18 years old and he will be a full-fledged fireman. He only has to go through the burn unit. He is protecting Robinson Township and goes to every fire call. How does a schoolteacher get on summer help when my son or the other 9 are sitting home. That is all I want to know. Does anybody have an answer?

Chairman Abatta, we will address it under our comment section.

Mr. Bogatay, I would like somebody to call my home.

Chairman Abatta requested that Mgr. Bibro call Mr. Bogatay.

KATHY JO MARKS (6154 Steubenville Pike), my husband and I own three businesses located at 6154 Steubenville Pike. We have paid taxes to Robinson Township for over 17 years. My husband Chuck has attempted to address this Board with legitimate business concerns for the last 3 months. Chuck has been denied his rights, both in his civil liberties and the Sunshine Laws of Pennsylvania. We were told that we had to supply legal tax documents to the Township in order to have the privilege to speak freely here tonight. My husband has been thrown out of these public meetings needlessly and still was denied the right to speak, despite providing all of the appropriate information as acknowledged by your administrators. I find this entire process appalling. How much time did you spend desperately searching for a way to stop us from speaking tonight? The facts are that you have made us go through these channels knowing that all of the information is right across the hall. I thought we all shared the tax office. I am very frustrated with our 5 Commissioners. You have consistently abused your position to engage in petty politics and bullied citizens of Robinson Township if for no other reason, than pure spite. Why do you allow your personal, political prejudices to guide you, instead you should be guided by what you were sworn into office and took an oath for. The harassment of citizens and taxpayers that choose to question and speak, needs to stop. Mr. Forquer, your behavior has been the worst for me. You absolutely turned your back on those who supported you. You have gone against everything you claimed to stand for during your campaign. Your time spent here has been a sham and a disappointment to all who thought they were voting.....

Chairman Abatta, Mrs. Marks, I appreciate all of your comments but no personal attacks will be tolerated.

Mrs. Marks, I hope that you, Commissioners will stop wasting the taxpayers money and resources that they use to harass the citizens and go about the business of doing what is right for our community.

JERRY BROUKER (Coraopolis Rd.), Robere' Mr. Garvin, I could not disagree more with what you had to say earlier. We are friends and I did have great time with you the 4 years that I was on the Board. We are going to have to agree to disagree. There were violations and they were clearly stated over the past number of months. You just did it again. You did not let Chuck speak after he provided the tax information. Kathy

somehow can speak, but Chuck cannot. Clearly there are violations within the Township and there will be action taken. If you thought that what you did initially was so appropriate, then why did you change the format back again? Clearly, you knew that you did something that was inappropriate and wrong. Often times it is alleged that it is like a circus atmosphere? What is a circus atmosphere, people coming up here and asking questions? People raising objections or concerns? I, and my committee have never been disrespectful of this Board. What I think the circus is, is the treatment of the Marks' again tonight, but especially for Mrs. Marks because Kathy has had to run around getting paperwork, etc. They have been citing his 80 + old mother over ridiculous stuff and then you won't even let them come up and speak. That is a circus. The rants that Commissioner Forquer goes on, on a regular basis to attack us, is a circus.

Vice-Chairman Forquer, this is a personal attack..

Mr. Brouker, what did you do to me last month?

Chairman Abatta, stay away from the personal attacks.

Mr. Brouker, I was not going to personally attack anybody. Mr. Forquer does all that. I have been listening to that for 3 years. I have received phone calls from him.

Vice-Chairman Forquer, you are a liar

Mr. Brouker, I still have the messages if you want to hear them. At the end of the day, that is where you need to correct things. That needs to be stopped here. The circus atmosphere, generally speaking, comes from up there and not from down here. I would have addressed that further, but he stormed off, as you saw.

Chairman Abatta, Mr. Marks will be a next person for citizen comments. I would like to clarify that Mr. Marks is not a landowner in Robinson Township, nor is he a resident of Robinson Township and obviously he is not a voter in Robinson Township. He claims to have a business in Robinson Township, but we have no occupancy permit for a business. What the Board is so inclined to do this evening Mr. Marks, is to grant you at this particular time, your 3 minutes. I want to remind you of the rules of decorum., no incidences like what has happened in the past as far as hand signals and things of that nature.

Mr. Marks, first of all I should get 12 minutes because I was deprived for the last 3 months. Someone here recently mentioned the building on Route 60. There were complaints made about that. It is unfair that an ex-commissioner owns that building. If that were to fall and hurt somebody, that will be a lawsuit. It can fall on the road. Greg knows about it. My mother was cited for having a backhoe on her property. It had been there for six years. The court threw it out. I said that I would take it off eventually and I did. The problem is, she got cited again. I go past that same building and what is the Township's remedy, they put two yellow ribbons across it. I don't know if it has anything to do with politics, but I know that a former democratic commissioner owns that

building. I also know that a current Commissioner on the Board has the same pieces of equipment on his property that we supposedly have in an R-2 zone. Our property was a farm. It is over 10 acres. When a Commissioner has the same thing on his property, he has a backhoe, signed trucks and trailers and he gets away with it. There seems to be two rules of the law here. One is for the common people and one for you Commissioners. I myself am sick and tired of it. Going back again to the taxes, I have three businesses. I do not know if you know anything about business, but the way you talk you surely do not. (Comments not audible). We do not need an occupancy permit. Our office is incorporated with the other three businesses. As far as an office is concerned, it is a computer with all of our files. You do not need a permit for that. You came from this government area and you taught and surely you would not know that because it is too complicated I think sometimes. I am confused sometimes. For a layman, I am sure you don't know. I am surprised that I was able to talk. If I had not been, there would have been things filed because you are wrong about this. I am a business owner and I do pay taxes. You should know that there is an LT tax and it is a shame that you don't know that. The way you shut people down, you are very biased. In my opinion, I would like this Board removed and to reorganize. If you don't know that businesses in this Township play taxes and the way you bully people around, it is not right.

Chairman Abatta, finish up because you have 10 seconds.

Mr. Marks, I would like to have you removed and if anybody would like to take me up on it and make a motion, it would be a benefit to the Township not to have you as Chairman.

Chairman Abatta, The Board will be making their comments very shortly and as I said from the beginning, the comments that we heard from the dissidents this evening, are their own facts or what they think are facts and basically are their opinions.

#### COMMISSIONER COMMENTS

##### COMMISSIONER CEGELSKI REPORT

Commissioner Cegelski, good evening Robinson Township residents. As the Commissioner liaison to the Robinson Township Library, I am pleased to report the following information: Robinson Township Library has sponsored many great summer activities and has garnered a great deal of positive media coverage. The summer activities encompassed all ages and received a record number of participants this summer. We are very pleased about that. In fact, tonight as we were sitting through this very long meeting, we missed a nice luau party over at the big shelter. It is my understanding that the large pavilion was donated by us so they could have the party, sponsored by the library and you just needed to have 500 minutes of reading and you got free pizza, refreshments and swimming for all who participated. That was a nice event. There are still more summer activities to enjoy and believe it or not, there is a fall event schedule already made up. Please check out the library website for more information. One last thing for those parents out there, there is a fund raiser for Five Below. If you stop at the library and pick up a flyer and then to the Five Below in Settlers Ridge to buy

any kind of school supplies, then a 10% credit will go back to the library. They are doing that as a donation for the Focus on Renewal.

The other thing, I had the distinct pleasure, one of our young men in our community here who is a high school student at Montour, he received the Eagle Scout Court of Honor Award and I was asked as both an educator and as a Commissioner to be a speaker. If it is ok. with the Commissioners, he is currently at band camp, but I would like to have him on the agenda for our September 4<sup>th</sup> meeting. His name is Christopher Siak. He did a significant amount of work and I think we should advocate for our youth and all of the good that they do. When we have a fine candidate like that in Robinson Township, I would like all of our residents to know what a good job that he has done.

#### COMMISSIONER MAPEL REPORT

Commissioner Mapel, I would first of all on the Building, Planning and Zoning side, to read a prepared statement from our attorneys regarding the pending litigation with the Montour School District pertaining to requested refunds of building permit fees. "Montour School District has filed a petition with the Court of Common Pleas raising the contention that the fees charged by Robinson Township for the issuance of a building permit during the high school reconstruction project, exceeded the actual cost to the Township of monitoring compliance with the building code and that the fee therefore, constituted improper tax under Pennsylvania Law. The petition does not appear to allege intent on the part of any Robinson Township employee or official to violate the law and we can state with assurance that Robinson Township seeks to uphold the law in all of its actions and decisions. We are now in the process of investigating the history of the transactions in question in order to properly state the Township's legal position in court papers, which should be filed by the Township's attorney later this month. We also note that the actual cost to the Township of monitoring complaints with the building code, are not yet capable of being calculated since the school district has not yet brought the high school property into compliance with the permit and the processes of monitoring and enforcement are not yet complete". I would also like to add a final note of my own to that statement in saying that this Board and the Township of Robinson desires only to provide for the health, safety and welfare of anyone occupying the buildings and facilities of the high school campus. That is our paramount concern at this particular point in time. I probably will not be commenting on this any further as litigation proceeds. We are still hopeful that we can work out a resolution to this outside the court system and we will be working diligently toward that end. Sometimes those are not decisions that we can make.

I would like also to comment on one of the residents that spoke at the microphone this evening. I think it is appropriate at this point in time that we clarify the fact that I am the Commissioner that was mentioned, but not by name. I appreciate Mr. Marks not using names because that is what we are trying to get away from here, but to again provide for the transparency that we say we about, I am going to bring to light an explanation to this. I would like everybody very much to understand that the piece of property in question here that Mr. Marks referred to is my piece of property on Clever Rd., which has been in my family for nearly 60 years and I have been conducting business uninterrupted since

1977. I thereafter purchased the balance of the property, in addition to where my house is. With respect to the zoning implications, I am going to leave this to the Zoning Officer to explain how this situation differs from the situation that his mother has recently had. If there is any further legal explanation or description, he can talk to the solicitor about this.

Mr. Urbano, your piece of property was a permitted use under the C-1 Ordinance of 1971. The property was changed in 1993 when we re-did the map and the zoning ordinance. I worked on this with Bob Garvin and the rest of our in-house people for 5 years before we adopted it. Your situation is a non-confirming use and a non-confirming structure of record. Under the Ordinance of Section 2504A, a non-confirming use and structure of land, as long as it is not abandoned and I will quote "when a non-confirming use is discontinued for 12 consecutive months or 18 months in any three year period, it shall be considered abandoned and shall not thereafter be used except in conformance with the regulations of the district in which it is located." What that means is if you were using your structure in 1971 and it has not been abandoned or shutdown, you are a non-confirming structure in use. You are definitely in compliance with the way you are managing your property.

Commissioner Mapel, are there other businesses and properties that fit that description in the Township?

Mr. Urbano, there is a list of them and the Solicitor can relate to that. It came into effect when we changed the zoning districts when we did the map.

Commissioner Mapel, I hope moving forward we can put this to rest and move on to some more constructive and appropriate business at hand, rather than wasting people's time with trivial matters that really do not have any relevance to our business.

At this point I would also like to express my gratitude to our solicitor for his very eloquent and descriptive explanation of the resolution that we adopted some months ago and then amended. I think this clears up yet another item that has been of some concern to people. When someone comes to the microphone to speak and states their opinions as if they are legitimate fact. Many of the folks who have been up here, we are glad to hear and there is no reason why we would ever want to censor a person's right to free speech, but at the same time we want to make sure that everyone understands that is an opinion. These are not legal professionals and that is what our court system is designed to do, interpret some of these areas of law that are very complicated, even for our attorneys to understand. With that said, as we are concerned with a person's right to free speech, we are also concerned about another section of the First Amendment which provides for us to peaceably assemble in public. I think that right to assemble in public has been compromised to some degree by the disruptions and the commotion that we have experienced over the past couple of months. I think it is time for us to put that aside and move forward with business that affords this Township the time that it really is deserving.

Moving on to public safety, if you have read a newspaper or had your television on since our last meeting, I don't know how to even understand this epidemic of violence that we are seeing in our country. Twenty people have been killed and over 50 people wounded because of senseless violence. Guns and Drugs are driving a lot of this. With the recent shootings in both Colorado and Wisconsin, some of our own surveillance tapes in Robinson Township are reflecting arms deals. People are exchanging arms in broad daylight. There are drug deals being conducted in some of our shopping areas in broad daylight. It appalls me that this is what we are experiencing in our own backyard.. One of the items that I had discussed when I came on this Board was acquiring a K-9 with the express purpose of being able to better serve our police force with respect to sniffing out drugs, weapons and some of the things that they are specially trained to do. I am pleased to tell you that the only thing left in this process is to acquire the balance of the funding. I know this was initiated several years ago and it seemed to be a good idea, but for whatever reason it did not take off. I believe it is safe to say at this point in time that once we acquire the additional funding that we need, there is a unanimous general consensus that we would like to do this and we will be doing this. It is my understanding that five of our police officers have volunteered for this detail. This pleases me greatly to see an interest.

We have a wonderful police department. We talk so much about our road department and it is well deserved, but I don't think enough is said about our police department. These guys are out there doing an uneviable job. They require and deserve everything that we can give them in the form of tools to do their job as effectively as they can. On that note, I would like to send a message to those people that would engage in these types of unlawful acts. We are going to use every means that we have to find you, put you in jail and whatever we have to do to make sure that we are safe and that some of the things that we read about in the paper and see on television, is not happening right here in our own community. As back to school is right around the corner, we are working hard to provide for the safety and welfare of our students, faculty, residents, people visiting, shopping or just enjoying our community.

#### COMMISSIONER SHIWARSKI REPORT

Commissioner Shiwarski, good evening to everyone. I hope everyone has enjoyed their summer so far. We are as Mr. Mapel just said, headed towards the beginning of another school year. We wish everyone going back to school, including college, the best of luck. I want to make a quick update on some of the Township's road programs. First, special thanks to Mr. Bonkowski, Supervisor of the Road Department and all of his men for the prep work that they put into the road program. Our costs would be significantly higher if we did not internalize a lot of that preparation work. They do an A-1 job and they do it enthusiastically and as Mr. Bibro mentioned earlier, they did it this year in 95 degree heat. Williams Dr., Silver Lane and designated portions of Aiken Rd. all have been completed and they look great. Hopefully the traffic congestion was not too unbearable. The end result more than justified the means. Geyser Rd., Windhaven Rd. and Parkway View should be done in early September. The micro-paving on Glass Rd. , West Harbison, Cobblestone and some of the areas as the mall, also has been completed as of

this time. Much like PennDOT and Allegheny County, Robinson Township is utilizing a system for preservation philosophy to address roadway maintenance, which maintains the integrity of the road surface while preserving and extending the life expectancy of those roads. This approach preserves our investment by keeping the roads maintained so that they not only last longer, but their condition deteriorates much slower. We achieve this goal by using a systematic multi-year plan that addresses the scheduled roads throughout the Township based on a number of factors. Those factors include condition, cost, the logistics in concert with other projects going on that affect that road, and the surface that is on that road and how that cost matches up with our yearly road program budget. That is just a little insight on what we are trying to accomplish this year with the road program and moving forward.

I also wanted to touch on something that I seen this morning in the paper. I seen an article on the front page of the Post-Gazette local news section and it was titled "Voter ID Outreach Letter Causes Confusion." After scanning that article, it states that over 758,000 voters statewide whose names are in the voter registration database, do not match the PennDOT data base and they received a letter. A mismatch in names can occur for one of two reasons: If a registered voter does not have identification from the State Dept. of Transportation or if a typo or middle name appears in one data base, but not the other. Everyone, please try to recall if you might have casually looked at this letter and disposed of it. Please take notice if you received one in the mail recently or you must have the proper admissible identification when you go to vote this November. Commonwealth Judge Robert Simpson plans to rule on the legality next week. If we get any updates along the line, maybe we can put it on our website to keep our residents informed. I did not see a deadline for any corrections in this article to still be eligible to vote in this upcoming election, but I think we should all keep our eye on this and avoid any election day confusion.

I also received some information recently and I am not advocated one way or the other, I just thought it was interesting . It was sent out by our County Controller Ms. Wagner. "There are over \$16.6 billion dollars in tax exempt properties in Allegheny County with 99% of them listed as commercial properties. The top five recipients of these exemptions in Allegheny County are: UMPC, The University of Pittsburgh, Carnegie Mellon, Western Penn, West Penn Allegheny Health System and Duquesne University, but there are nearly 26,500 other exempt properties in Allegheny County. This will relate to nearly \$95 million in lost revenue for the County in 2012 alone. Some examples of this and how it affects different districts, for example the Baldwin Whitehall School District will lose about \$3.4 million this year in tax revenue, while a school district the size of North Allegheny loses nearly \$12.2 million a year due to these exemptions." Maybe our school board can figure out what that means to Montour. Municipalities also lose. This is just some information that I thought I should pass along since it affects each property owner annually \$173.00 per person. If you need any additional facts or information, you can email [contoller@alleghenycounty.us](mailto:contoller@alleghenycounty.us)

Finally, as my day job I am a manager and I like when processes work. There was much ado when we Commissioners altered the format of the Township meetings this spring. After the initial meeting in my Commissioners Comments, I distinctly recall saying "let's give it some time and see what happens." After constructive feedback and some self-analysis, this Board made some changes and streamlines in the process for a more friendly and efficient version of conducting business in our monthly meetings and I believe, have a more effective way of conducting government. Remember that the greatest document ever written, the U. S. Constitution, has 27 amendments to it and the last one coming in 1992, 216 years after the document was written. Government and its structures, are a work in progress, steered by officials, elected by the majority with the common good of the voters in mind. I promise that I will continue to listen while always trying to improve our quality and safety with an eye on improving our financial position while balancing this fairly to all taxpayers.

Lastly, I would like to say that I feel personally honored to permanently honor Commissioner Tallon this evening with the dedication and I also want to recognize that there were many who came before who have also made Robinson Township a great place to live, work, play and worship and maybe not as formally, but we honor you all the same and we thank you very much.

Vice-Chairman Forquer conducted a power point presentation. The presentation mirrored a recent speech that he gave before the Airport Area Chamber of Commerce

Vice Chairman Forquer, this is basically a recap of our Township finances and how we got to where we are at today. In 2009 I became interested in Robinson Township government and decided to run for office as a Commissioner. I won the election and although I had various positions in the field of equipment, engineering and construction, my passion was finance. To my surprise, one of the Board members told me that he would support me if I wished to become the Chairman of the finance committee. Although, I had some apprehensions, I accepted the offer and the Board approved me as chairman of the finance committee in 2010. In order to prepare for the work ahead, I enrolled in and completed a Local Government Academy Training Program. It involved finance, law, planning and every aspect that a Commissioner would go through as part of that program. I attended classes for over 4 months, sometimes 3 or 4 times per week at 3 to 4 hours per session. Since I have been attending meetings since 2006, I had a very good idea of what needed to be done to improve the financial management of our Township. I knew that financial planning, budgets, controls and audits are the foundations of good financial management. Some of the past audits prior to 2009 were taking as much as two years to complete and I knew that was symptomatic of a problem and accounting practices were going to have to change. It is not possible to prepare an accurate budget without the verification of the prior year financials that a completed audit should yield. In 2007 alone the balance forward alone dropped over \$1 million. The first steps were that I was sworn in on January 4, 2010 and voted to Chair the Finance Committee. The first thing that we did was to hire the auditing firm of Mark Turnley to perform the 2009 audit. When it was completed, the audit revealed the balance forward for 2009 was \$184,000. In 2010 when our former manager decided to move to

Baltimore, I then proposed that our Board promote our Assistant Manager, Aaron Bibro, to the Manager's position. Aaron has a master's degree in economics from Villanova University. Because he has all of the good qualities that one would expect in a top notch manager, the Board voted to promote Aaron immediately. Next I suggested that instead of hiring another assistant manager, that we hire a financial manager. The Board agreed to that move. Our current financial manager has a masters degree in accounting. The Board also approved online access for me to view all of the Township bank accounts, which I regularly monitor. Last year we decided to migrate our radio emergency dispatch service to Allegheny County 911. This move was made because our EMS and Fire Companies were already served by 911 and we felt it would approve service. In addition, there was cost savings and shared services as a current trend to streamline government. Last year all of the labor contracts were up and we renegotiated the public works and office workers contracts. Wage increases were kept to a minimum and for the first time, they will share in medical costs. A cost study of the operation of the Treasurer's office revealed that his office was overstaffed and we cut the operating budget in 2011. We now have a new treasurer who is running the office solo, which is saving the Township \$80,000. This year for the first time in years, the Board decided to go to arbitration when the contract negotiations with the police reached an impasse. We just received an arbitration award for the police contract and wage increases were kept to a minimum and for the first time, they will be sharing medical costs. In our complete review of Township finances, it came to my attention that we had some underfunding issues with two tax increment financing contracts. We are close to re-negotiating those contracts which should result in eliminating millions of dollars of debt in that settlement. Purchasing savings has also contributed to our cost cutting measures. We changed our electrical power supplier and should save \$40,000 on that move this year. As a result of all of these initiatives, we have not had to raise taxes in the first three years of my term. Audited results verify that in 2010 the balance forward was \$1,789,400 and in 2011 the balance forward was \$2,048,300. Remember, in 2009, which was the year before I was elected, the balance forward was \$184,000. Those are audited results. It is significant and perhaps unusual today that all of the motions concerning the financial reforms were unanimously passed by the Robinson Board of Commissioners. Coming from a business background, I am a firm believer that business model for government is that of a service business. I also believe that municipalities and government at all levels, should be governed by laws and not politics. I believe that every day of our lives we should be pursuing excellence. In the immortal words of Vince Lombardi, Lombardi told his team that they were going to be pursuing excellence, and even if they never reached that goal but came close, they would be winners. History shows that this was correct. Watching the evening news today, it is a frightening experience for me, especially when I see things like Jefferson County in Alabama and Harrisburg, PA stating that they are going bankrupt. We are a great nation that was founded and always operated on the free enterprise. We must never forget to honor that principal and if we do, we will survive and we will prevail.

Vice-Chairman Forquer talked about the development and the high occupancy rates that the mall is enjoying. Giant Eagle is one of the largest markets in the area. Settlers Ridge

was built without any special funds and they are doing very well and also enjoy a high occupancy rate.

Vice Chairman Forquer, I would like to address some remarks tonight. Some of the remarks tonight were strictly motivated by the spring election. Again, misuse of the Township microphone to attack somebody. I would challenge anybody that you people know, that works as hard as I do as a Commissioner. I would challenge you and you are not going to find him. As I said, in my spare time I am a volunteer for the Montour Trail. I am the director of security. I have about 16 bike patrols that work with me and we keep an eye on things there. Look how beautiful that is. It is my thing to get away from this nonsense that happens at these meetings sometimes.

Do not forget the Autumn Festival at Burkett on September 15<sup>th</sup> and thank you for your attention. God Bless America and thank you for your time this evening.

#### CHAIRMAN ABATTA REPORT

Chairman Abatta, due to the time of the hour this evening, I can very honestly say that everything that had to be said at this point in time, was said. I don't want to reiterate. Every comment that they made was very poignant and basically talked about the things I wanted to talk about. I would like to give a very short Parks Report.

The 10<sup>th</sup> Annual Autumn Festival will be held on September 15, 2012. This community event gets bigger and better every year. Once again, there will be food, games and activities for all ages. Our featured band this year will be No Bad Ju Ju. We will have several new attractions, including the Ultimate Gaming Trailer. As always, there is free parking, free admissions, great attractions along with musical entertainment from local dance studios and much more. Lighting up the sky for the festival will Pyrotechno fireworks display which will start around 9:45 p.m. The festival begins at 12:00 noon. It is not too late if you or your organization would like to be a vendor at the festival. Applications will be accepted up until August 31<sup>st</sup>. Space is limited, so do not delay.

Vice-Chairman Forquer, one more thing I would like to say, I never made any phone calls to Mr. Brouker. I have better things to do with my time.

MOTION Shiwarski, SECOND MAPEL to adjourn the Meeting.

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

Respectfully submitted,

Carol Merks  
Secretary

