

BOARD OF COMMISSIONERS MEETING  
MONDAY, NOVEMBER 5, 2012

CALL TO ORDER: Chairman Samuel Abatta called the regular meeting of November 5, 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

**Presentation by Giant Eagle Market District representatives donating \$1000.00 towards the Robinson Township Police Canine Fund.**

Commissioner Mapel, I am delighted to welcome several folks from Giant Eagle here this evening. We have Mr. Michael Hammet who is the store director at the Market District. We also have Abby Virgin, who is a front end manager, my wife Joan and my daughter Joanna.

Abigail Virgin, good evening everyone. Nearly three years ago Giant Eagle made a multi-million dollar investment in Robinson Township. As we embark on our third anniversary here, we are pleased to see how our efforts to satisfy this area's various shopping needs have been met with a positive response. With so many areas confronted by the challenging economy, we are pleased to see this project prosper and we are grateful and excited for involvement in it. It continues to be Giant Eagle's philosophy to contribute to the businesses in the communities and to share the values and to satisfy to the best of our ability, the needs of the communities that we serve. We are grateful and appreciate the help and support that we receive from our local police department here in Robinson Township. It is the desire of the staff and management in Market District to support the police department in every way possible, including the addition of a K-9 unit. We applaud this pursuant of excellence and appreciate the opportunity to be a part of it. With that said, we are proud to present this check for \$1000.00 for the K-9 addition to the Robinson Township Police Department. We look forward to his service, not only in the community, but also in our store, where he will be welcome to visit anytime.

**Recognition of the Robinson Township Parks Board members for their efforts regarding the 2012 Autumn Festival**

Parks Board Chairperson Jane Tallon thanked the Board of Commissioners and Chairman Abatta for everything that he has done to help the Parks Board prepare for the event. She also thanked thanked staff including the public works department , webmaster and the Parks Board. She introduced Diane Freese, Beth Crawford, Mary Ann Johnson and

Mike Migliozi. Denise Somma and Janet Hammer were not present. She thanked them all for their valuable contributions.

The tentative date for the 2013 festival is September 14<sup>th</sup>. There have been some preliminary discussions and the possibility of showcasing local bands.

The Parks Board would like to start a new event in 2013. They are planning a teen dance. There are fun things for the younger children, and we think a dance could be a fun thing for teenagers. Robinson Parks Board would like to form a partnership with Moon Run Fire Dept. Some of the dialogue has been discussed about holding these events in their banquet hall. The fire hall is a great location for this type of event and they have a really nice dance floor. The event will possibly be held in Mid-January, Mid-February and possibly St. Patrick's Day.

Chairman Abatta, each and every one of the Parks Board members do a fantastic job, not only on the Autumn Festival, but on all of the events that we host here in Robinson Township. They do a first class job in every situation.

We have Gold Sponsors. These are the people who contributed over \$1000.00 to the cause. They are as follows: USA Auction Direct, who contributed \$4000.00, which financed our fireworks. In essence, that was the second time that they did that so we are very proud of them. Plans Examiners, Inc. contributed \$1200.00. Goldberg, Kamin & Garvin donated \$1000.00. NIRA Consulting Engineers donated \$1000.00. Huntington Bank donated \$1000.00. Remington, Vernick & Beach Engineers and James L. Smith Insurance Agency donated \$1000.00. Those are our Gold Sponsors.

Our Silver Sponsors this year, who contributed \$500.00 were: PNC Bank, The Mall at Robinson, COMCAST, The Meritage Group, L.P., Rimco, Chestnut Ridge, Michael Morris and the Sampson-Morris Group.

Our Bronze Sponsors this year included State Representative Nick Kotik, Lamar Advertising who contributed \$300.00 and also allowed us to use their electronic signs on the Parkway Billboard, Waste Management, Vista Industrial, Jendoco Real Estate, Samdoz, Inc. Parkway West Industrial Park, CBL Associates and Settlers Ridge, Traffic Systems, State Representative Mark Mustio, Congressman Mike Doyle, First National Bank, Kossman Development, and M.A. Dunn Construction. Lastly, our advertising donations this year were: Waste Management, Allegheny West Magazine, Suburban Gazette, Macaroni Kids and a special thanks to Embroidery Pittsburgh and the Montour School District.

### **ENGINEER'S REPORT**

The Engineering Status Report from Remington, Vernick & Beach dated November 5, 2012 is attached.

In regards to the MS-4 Permit or Ordinances, Engineer Meyer stated that he has one comment that he would like to add that he previously discussed with Mr. Garvin, Mr. Bibro and Mr. Urbano. One of the things that should be done to strengthen our ordinances is to add something about the televising of our storm sewer lines prior to acceptance. What happens is you run a camera through the line to determine if there is any debris in the line and if the joints are sealed properly. These are things that you cannot see from above. As you are going in, you can make sure that the joints are pushed tight and everything else. However, if over time until that is dedicated and those would slip apart, you would not be able to tell. You see this a lot on construction sites. What we want to make sure is that prior to acceptance these are cleaned out. Sometimes you have contractors dumping in the inlets. These are things that we don't want to have happen.

Chairman Abatta, I just want to send some kudos to the road department because I understand that prior to Hurricane Sandy, the road department was out making sure that all of the outlets, etc. were taken care of and they were applying some preventive measures.

Engineer Meyer, they did a great job because I know that is always one of the main reasons for flooding is that the leaves, especially at this time of the year, get on those inlets and they do not let the water flow down. They did a very good job.

In regards to Stafford Park Phase I Amended Plan, the revision to the plan is based on a previous survey error. The error has caused revision to the lot lines of various lots throughout the subdivision. A copy of all pipe and roadway information has been requested to verify that the easements and right-of-way are not affected.

Commissioner Mapel, am I correct that this was a recorded subdivision?

Engineer Meyer, that is correct.

Commissioner Mapel, yet there are survey errors associated with the subdivision? Could you expound on that just a little bit for us?

Engineer Meyer, my understanding is, and this is more of a legal aspect, there are different filed plans, which do not agree. The new surveyor has stated that he feels this is the correct one and that is the one being used.

Commissioner Mapel, does it affect the outward perimeter boundaries of the subdivision?

Engineer Meyer, yes and it also affects some of the lots. I would say approximately 60% to 70% of the lots. I looked at them and they are still within zoning perimeters, but they have been adjusted. My other main concern is to make sure that the error was not compounded with having to move the rights of ways and the storms sewers, so I have

asked for an overlay of the as-builts onto the new map so I can make comment on that as well.

Commissioner Mapel, and where are you in that process?

Engineer Meyer, they sent me plans on Thursday and I have not had a chance to review those as of yet. I will keep you posted.

Commissioner Cegelski, if I could draw your attention back to the MS-4 Permit, you talked about the televising of the lines, where would the costs fall?

Engineer Meyer, they would be on the developer.

Commissioner Cegelski, do you know how much cost you are talking there over and above?

Engineer Meyer, it depends on how long the lines are, how big they are. There are a lot of variables. There is an 84 inch pipe on Campbells Run Road and that would probably be about \$1500.00.

Commissioner Cegelski, do other Townships do this? Is this something they normally incorporate in the ordinance and the developer does incur the cost?

Engineer Meyer, that is correct.

Commissioner Forquer, you mention 5171 Campbells Run Road on your report. What is this?

Engineer Meyer, they were doing work without a permit and they came in under the stormwater management permit. What they were doing, and I am glad that they did it before Sandy, on Campbells Run right past the interchange there was a vacant lot that used to be the limousine area. That lot had a 48 inch pipe that would run across and was not even close to being able to handle the flow. What happened, the lots above that would be flooded during an average rain. Aaron and I went up and met with the owners on two different times where they showed us the different things. One of the things they wanted to do was to get this fixed before they did anything else with it. They came in with an approved plan for an 84 inch pipe. We inspected and reviewed it and right now it is working. I do believe it probably was one of the reasons why we did not have a lot of flooding up in those areas.

Mr. Urbano, I think it should put it into the record that they did receive a permit from the DEP for the emergency repair of that pipe. They took the cost on their own. They are planning on putting an office building on that site.

Commissioner Forquer, Knickerbocker was also obtaining a permit from the DEP because they have a pretty big pipe down there that needs cleaned out.

Engineer Meyer, that was a cleaning where this was a replacement.

### **POLICE REPORT**

A copy of the October, 2012 Report was previously submitted and attached.

Chief Vietmeier, I would like to thank Giant Eagle for their wonderful donation this evening and the Parks Board and Board of Commissioners.

It was a very successful Halloween. Child safety programs in the elementary schools will begin later this month. They should be completed by mid-December.

### **ADMINISTRATIVE UPDATE**

Mr. Bibro, this past summer we were able to invest about \$1.3 million into the roads in Robinson Township. This is more than prior years and recent memory. With change and new roads comes some new hurdles that sometimes are unanticipated. Two weeks ago I met with a resident who came into my office with a rather lengthy petition signed by all of the neighbors on Geyser Rd. We sort of knew about this beforehand. They have concerns that this road will turn into a cut-through. Obviously we understand the concern, but we still had to address the need to repair the road. It was probably one of the worst roads in the Township. They do have a beautiful road now with much better stormwater management. They are concerned about speeding. There is a somewhat blind curve at the top of the hill and it is difficult to see pedestrians. I promised that we would look into it. At this point, myself and Mr. Meyer will get together some time this week with the police chief as well. It looks like we may need to get a traffic study and I will let our engineer explain further.

Engineer Meyer, I have been involved in these a lot of times when you have speeding concerns. I think the key thing is to set-up a certain type of committee and ask for various information, for instance, what is your 85 percentile speed and have their been accidents? You want to look at all of these items to make sure because when people talk about it they just mention putting up a stop sign or a speed bump and there are drawbacks to those as well. I think it is important that you set-up an overall committee that includes, as Aaron said, myself, Joe Bonkowski, Chief Vietmeier, somebody from the Fire Department or Emergency Responder. They also have concerns about it. By putting in a speed bump it can hurt some of your fire equipment and things like that. I think the key with it is to come up with a set of criteria that needs to be met in order to do some type of speed reduction in the area. It can also be a case of just writing a bunch of tickets out. The area can be known as a speed trap. There are a lot of different ways of handling this,

but I think the key is to make sure that you have a well thought out procedure on how it needs to be done.

Mgr. Bibro, we will get together to discuss this and then respond to the residents. I will keep the Board updated.

Chairman Abatta, anytime that we hear from the residents and the taxpayers, it is a paramount issue that has to be addressed. I hope the residents realize the procedure to put in the correct fixes for this particular problem. We cannot make a rash decision. There are other things that go into it.

Commissioner Mapel, I would like to commend the folks that brought this to Mr. Bibro's attention. There have been discussions in the past about how to bring these kinds of problems to bear with respect to how we address them and sometimes it is easy to jump the gun and get excited about things you have a passion about. I commend the folks that went about this in the right way.

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

Solicitor Garvin, I have no other items than those that were discussed in Executive Session.

THE BOARD OF COMMISSIONERS CONDUCTED AN EXECUTIVE SESSION ON NOVEMBER 5, 2012 FROM 5:00 P.M. TO 7:00 P.M. TO DISCUSS PERSONNEL ISSUES, THE BOARD WILL TAKE OFFICIAL ACTION, IF ANY, FROM THIS EXECUTIVE SESSION DURING THIS MEETING.

Discussion to approve the October 1, 2012 Board of Commissioners Meeting Minutes.

### **NEW BUSINESS**

Discussion to approve the 2012 Treasurer's Report

Discussion to approve the October, 2012 List of Bills

Discussion to schedule the 2013 budget workshop meeting on November 14<sup>th</sup> at 3:00 p.m.

Discussion to seek a recommendation from the Planning Commission for a proposed ordinance amending Chapter 300 of the zoning ordinance to provide for a definition of display lighting and electronic sign panel and clarifying the definition of changeable copy sign and amending and restating Article XXIII, conditional uses to limit the size and hours of the operation of billboards and clarifying provisions to recognize new technology.

Discussion to advertise a request for proposals seeking on-call e-waste and household hazardous waste collection service.

Discussion to terminate the agreement between the Township of Robinson and Triangle Pet Control Service Company effective immediately due to a failure to provide the scope of services outlined in the service contract.

Discussion to enter into an agreement with Animal Control Services to provide Robinson Township with animal control services effective immediately.

Commissioner Cegelski, did anybody else step forward? I believe I have one from Washington County Animal Control. Were there others that came forward?

Mgr. Bibro, this was the only company that I could find that services the neighboring community. I would be happy to call other companies and we could entertain that at the 1st of the year and find the best quote?

Commissioner Cegelski, I was just wondering how we got that name since it was not one that was brought up at the COG. I don't know if we want to wait any longer since Triangle Pet has not been in service. I was just wondering how we came by them?

Mgr. Bibro, they were actually referred to me by North Fayette Township. They used them as well as a few other neighboring communities. It is actually a woman based in Washington County. We always have the flexibility to change at a later date.

Commissioner Cegelski, I am wondering if perhaps they said a Washington County Animal Control Service, if this is not one and the same.

Mgr. Bibro, one good thing about this company that is different from Triangle is that we have a monthly retainer with this company. Anytime we call them out specifically, there is no additional cost. The one thing with deer, she warned me that if there are an excessive amount of deer on the roads, she will start to charge us. If there is a deer in a place, such as an intersection where it is inconvenient, she will come out at no cost and take care of that for us. She seems to be pretty flexible.

Discussion to seek a recommendation from the Planning Commission regarding a request from F.C. Aiken, LLC for Robinson Township to vacate a portion of Moon Run Road.

Tom Ayoob (Representative for F. C. Aiken), I submitted this petition to vacate a street on behalf of F.C. Aiken. There is a provision under the First Class Township Code that allows a Township to consider a petition to vacate public rights upon petition. This is actually a paper street that might be recognized on paper as potentially being laid out for the benefit of the public use but the street has never been opened. It has not been plowed or maintained for a public purpose. In this instance, there are documents in the public record that seem to refer to this portion of Moon Run as a public street but it is never used or opened. It is not clear as to whether the Township has any rights in this street,

but to be certain that it does not, we filed this petition asking that you vacate these rights. What that means is that once the vacation occurs, the street cannot ever be opened as a public street without some formal legal proceeding like a condemnation. It has never been opened and never been used. It is not being used by neighbors to gain access to their properties, there are other means of access. It is grass, weeds and trees. What the Township would be doing is confirming that it is not asserting any rights on behalf of the public in general to use it as a public street. The process that you go through is that you ask the municipality to vacate their interest of the public and it starts by a petition. I understand that you desire to send it to the Planning Commission. Afterwards there is the necessity of having a public hearing to provide notice of those contiguous property owners. In the petition that we have filed with the Township, we have provided to you the names and addresses from the Allegheny County tax records of the contiguous property owners so you can provide them notice of a public hearing. After that hearing, you have the right to decide if you want to vacate any rights to the public street. This is the first step of the process. It is our goal to have a public hearing sometime in December, before or after your next meeting of the governing body.

Vice-Chairman Forquer, the purpose of this transaction, do you plan on building on this property and is it something that will be added to our tax rolls?

Attorney Ayoob, absolutely, my client owns a contiguous piece of property and there is the intent to develop a residential development on that property. This is more or less a clean-up to allow this paper street to be removed and then a portion of it to be used for this development, which will result in an increase in your tax base.

Discussion to advertise the Township of Robinson MS4 Stormwater Management Ordinance No. 9 of 2012 updating and replacing Ordinance No. 6 of 1990.

Discussion to advertise the Township of Robinson MS4 Operation and Maintenance Ordinance No. 10 of 2012.

Discussion to advertise Ordinance No. 11 of 2012 adopting the 2006 edition of the International Fire Code, regulating and governing the safeguarding from conditions hazardous to life or property in the occupancy of buildings and premises in Robinson Township.

John Barnett (Plans Examiners). It is actually the 2009 Fire Code. The ordinance will be written that any fire code that the state adopted we would follow that. We understand that we will not be updating to the 2012 for a while. What this is, late 2007 we entered into a contract with the Township to provide a fire prevention program. As part of the course of that, the adoption of the fire code by local ordinances is necessary because of the way the state has adopted the fire code. The state has adopted the fire code where it applies to new construction. It does not really apply to the maintenance of the sprinkler systems, etc. Fortunately, the Township had a longstanding ordinance for fire inspections so we have been able to keep up with that. As a normal course of the fire

prevention plan, the adoption of the fire code has always been within those plans. Now that we are in the 5<sup>th</sup> year of the plans, it is now time. A little bit of the complication within the state is how they re-wrote the administrative section of the building code. Most of the fire code is referred to out of the building code. The fire code is also a free-standing document when it is adopted by ordinance. There are several pages that you can grant into your local ordinance and there are also items that would conflict with the UCC Building Code, for example, the egress of a building, the building code already covers that. This is really the final process of the fire prevention code started in 2007.

Discussion to adopt Resolution No. 24 of 2012 revising the official sewage facilities plan and submitting to the Department of Environmental Protection for the proposed sewage facilities planning module for the Industrial Scientific Corporation Global Headquarters Project.

Discussion to approve the Bayer Plan of Lots Subdivision as recommended by the Planning Commission.

Discussion to reduce Bond #92936508 for McCormick Farms Phase 1, II, and III from \$356,243.25 to \$192,354.25 as recommended by the Township Engineer.

Discussion to approve the Auction Direct Subdivision Plan #2 as recommended by the Planning Director.

Discussion to approve the payment in the amount of \$265,496.79 to El Grande Industries, Inc. for the final phase of the Robinson Township 2011 and 2012 Road Program.

#### CITIZENS COMMENTS (Agenda Items)

No Comments.

#### FINANCE UPDATE BY VICE-CHAIRMAN FORQUER

Vice-Chairman Forquer, the balance in the general account as of this morning was \$2,162,315.. The market value of the police pension fund as of the close of business day, November 2<sup>nd</sup> was \$10,862,726. That was up from the Friday, September 28<sup>th</sup> report, which was \$10,380,711. The police pension fund is funded every year by the Township the state, Robinson Township Police and our police chief . Because a good portion of the account is in stock and bond funds, the account balance is subject to market volatility. For Friday's jobs report, the unemployment rate increased one tenth of a point to 7.9% although the number of new jobs increased by 171,000. The amount of unemployed increased by \$410,000. It is good to see an improvement in new hires, but we have a ways to go to start achieving a strong recovery. Remember that the Federal Reserve is a prime indicator and they are tracking that because once the unemployment drops, the interest rates will rise. This usually has an affect on the stock market. Anyone who thinks there is no inflation is not doing the shopping today. LST collected in October

was \$136,000, which brings the year to date total to \$493,868. We received a check from Jordan on the LST. They are doing a good job. The budget for the year is \$880,000. The revenue year to date is \$336,130. They are also collecting delinquent LST. It is not a huge check, but I don't recall ever seeing that. We received a check for \$248.00. Real Estate Taxes, including interim collected for October were \$5,765.00. Year to date we have collected \$4,034,593. The 2012 budget for real estate is \$4,100,000. We are getting very close to that number. Interim taxes collected were 0, but year to date is \$6,928.00. Our budget for interim taxes was \$30,000, I spoke with Doug Perkey about this and he has been looking into that. Allegheny County is telling him that we should see something towards the end of the year. He thinks that Allegheny County is very busy with next year's assessments and appeals and that may explain the delay. Real estate delinquent taxes collected by Jordan for October were \$2,894 and year to date was \$183,523. Our budget for the year was only \$75,000, so Jordan's collection has exceeded our budget by \$108,500. They are doing a very good job. That is my report.

#### BUILDING INSPECTOR/ZONING OFFICER REPORT

A copy of the October, 2012 Report by Mr. Urbano is attached to the minutes.

MOTION Shiwarski, SECOND Forquer to approve the October 1, 2012 Board of Commissioner's Meeting Minutes

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

M/C 5-0

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

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

M/C 5-0

MOTION Shiwarski, SECOND Forquer to approve the October list of bills.

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

M/C 5-0

MOTION Mapel, SECOND Shiwarski to schedule the 2013 budget workshop meeting on November 14, 2012 at 3:00 p.m.

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

M/C 5-0

MOTION Shiwarski, SECOND Mapel to seek a recommendation from the Planning Commission for a proposed Ordinance amending Chapter 300 of the zoning ordinance to provide for a definition of display lighting and electronic sign panel and clarifying the definition of changeable copy sign and amending and restating Article XXIII, conditional uses to limit the size and hours of the operation of billboards and clarifying provisions to recognize new technology.

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

M/C 5-0

MOTION Cegelski, SECOND Forquer to advertise a request for proposals seeking on-call e-waste and household hazardous waste collection service.

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

M/C 5-0

MOTION Forquer, SECOND Shiwarski to terminate the agreement between the Township of Robinson and Triangle Pet Control Service Company effective immediately due to a failure to provide the scope of services outlined in the service contract.

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

M/C 5-0

MOTION Shiwarski, SECOND Forquer to enter into an agreement with Animal Control Services to provide Robinson Township with animal control services effective immediately.

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

M/C 5-0

MOTION Forquer, SECOND Cegelski to seek a recommendation from the Planning Commission regarding a request from FC Aiken, LLC for Robinson Township to vacate a portion of Moon Run Road.

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

M/C 5-0

MOTION Forquer, SECOND Shiwarski to advertise the Township of Robinson MSR Stormwater Management Ordinance No. 9 of 2012 updating and replacing Ordinance No. 6 of 1990.

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

M/C 5-0

MOTION Forquer, SECOND Shiwarski to advertise the Township of Robinson MS4 Operation and Maintenance Ordinance No. 10 of 2012.

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

M/C 5-0

MOTION Mapel, SECOND Forquer to advertise Ordinance No. 11 of 2012 adopting the 2006 edition of the International Fire Code, regulating and governing the safeguarding from conditions hazardous to life or property in the occupancy of buildings and premises in Robinson Township.

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

M/C 5-0

MOTION Forquer, SECOND Shiwarski to adopt Resolution No. 24 of 2012 revising the official sewage facilities plan and submitting to the Department of Environmental Protection for the proposed sewage facilities planning module for the Industrial Scientific Corporation Global Headquarters Project.

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

M/C 5-0

MOTION Forquer, SECOND Mapel to approve the Bayer Plan of Lots Subdivision as recommended by the Planning Commission.

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

M/C 5-0

MOTION Forquer, SECOND Shiwarski to reduce bond #92936508 for McCormick Farms Phase I, II, and III from \$356,243.25 to \$192,354.25 as recommended by the Township Engineer.

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

M/C 5-0

MOTION Forquer, Mapel to approve the Auction Direct Subdivision Plan #2 as recommended by the Planning Director

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

M/C 4 Yes, 1 Abstain

MOTION Shiwarski, SECOND Forquer to approve the payment in the amount of \$265,496.79 to El Grande Industries, Inc. for the final phase of the Robinson Township 2011 and 2012 Road Program.

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

M/C 5-0

NON-AGENDA CITIZEN'S COMMENTS (3 MINUTES)

Charles Simm (34 Eichelberger Drive), I am here, non-represented by Counsel to ask the Commissioners, why when they told me last month that they would come over and take a look at the property and what I was talking about and why they never showed up? I am trying to show you the damage that has occurred since you people say you have fixed this problem, which you have not. I cannot force you to look at it, but I am asking you why you did not come over and take a look at it? I am seemingly being ignored by all of the Commissioners. If you do not get working on this problem, you are going to have to buy property and a house is going to fall completely down because the foundation on this house is damaged. Just give me a common courtesy. You people sit up here and you don't say anything about anything, but you like to take money away from people when you file statues of limitation and I find out the only reason that you filed it was because I said that

I was going to get a lawyer. Can you give me an answer when you are going to come over?

### COMMISSIONERS COMMENTS

**Commissioner Cegelski**, good evening Robinson Township residents. In October I attended the following meetings: On October 16<sup>th</sup>, the Robinson Township Library Board Meeting. Good works continue for our community. A full calendar of events for November encompassing all ages is on the website at the library, so please take advantage of anything that may interest you.

On October 18<sup>th</sup>, I attended the Council of Governments meeting and in addition to the regular agenda items, we did hear from a couple of guest speakers, county executive Rich Fitzgerald was there and so was Senator Wayne Fontana. Both noted the difficulty of Township's planning budgets due to the assessments and the appeals. Everybody will have a problem in looking at budgets due to that factor. Also, Senator Fontana commented on some of the following items and issues: The land bond bill passed and they are waiting for the Governor's signature. What that would mean is that if there are any properties out there that have been delinquent or foreclosed upon and nobody is claiming it, then the Township can go in and use it for a more positive benefit to the community. We are just waiting for the governor's signature on that. There are fines that are going to be imposed on illegal gun buying. They have anti-gang legislation that was passed and the sentencing reform for juveniles did take place. However, Senator Fontana did tell us that the session ended before doing anything with mass transit funding, which is still outstanding and also on any improved assessment type language. Also, he encouraged people in the community to take advantage of e-news that comes weekly from his office. You can get a lot of information as far as what is going on in the legislature if you do that. Also, I would like to personally encourage everyone to get out to vote tomorrow and have your voice heard. Please vote. I would like to wish everyone a Happy Thanksgiving for the upcoming holiday.

**Commissioner Mapel**, First of all, Mr. Barnett has left for the evening, but I would like to thank him for his expert explanation of what has happened with the adoption of our fire code and how it relates to the approved fire access road and the ongoing work going on at the Montour High School campus and ultimately what we are doing about it. We have always stressed "safety first. This is what we have been saying right along. We want the road built the way it was originally designed and approved. That has and continues to be, our objective. With the originally approved construction plans depicting an alternate driveway to the campus, public funded money is budgeted for this work, which has not been done. It poses unanswered questions. 1. Why would Montour school directors prioritize omitting this access road, representing in excess of \$1.5 million from an approved plan. 2. Where was our money spent? Remember that Robinson Township provides over 70% of the revenue for the Montour School District, so it gives us every right to ask questions as to where this money is going.

Moving on to something more pleasant, it seems to be that nearly every month one of us is mentioning our gratitude to Giant Eagle for its ongoing support and its many contributions to Robinson Township, our school district and community programs. I would again like to express my sincere gratitude to Giant Eagle for their generous contribution of \$1,000 for our ongoing effort and pursuant of a police dog for our police department.. Again, to my wife Joan and Giant Eagle for doing the annual flu shots for all of the Montour School District Transportation Dept. employees. This truly is the finest example of a business growing and investing in its community and I thank them for it.

Here we are on the eve of another major election, one that will significantly impact every American, young or old for generations to come. For the past month we have been exposed to every kind of advertising message approved by nearly every candidate to get the message out to voters. If I were to make a decision on the basis of all of these ads, I think I would be even more confused. Let me just suggest that we put all of that aside and make decisions on all candidates based on informed decisions based on performance or lack of it. If you think they did a good job, keep them or if you have reservations, do a little research and educate yourself. There is a lot of information online. You also have the option of just electing somebody else. Most important is to contribute to the democratic process. There are dedicated men and women risking their lives to preserve and protect that right for us. Whether or not your candidate wins or not, get behind the one that does win and help to make them accountable to the people they serve because it is the office that we support. In our house we have a saying, you get back what you give. These people who aspire to public service or seek re-election, are not all corrupt. Many understand the joys and blessings associated with the opportunity to serve others. I know that I do and I believe that to be true of all the people that sit up here on this Board as well. I would also like to express my thoughts and prayers to those who have suffered losses from this recent storm, particularly those who live in the New Jersey and Connecticut areas. Finally, for those who have more fortunate not to have endured such loss and as we look forward to Thanksgiving and the holidays, I might suggest that we have indeed much to be thankful for. On that note, I will wish everyone a Happy Thanksgiving. Be kind to one other, be safe driving out there and I will see you next month.

Commissioner Shiwarski, I would like to state some of the obvious. Tomorrow is election day and I believe that the most important thing is to just get out there and vote. I am not pretentious to advocate anybody to tell you who to vote for, but please exercise your right because it is one of the greatest freedoms that any citizen has. I would also like to thank Giant Eagle Market District for their donation to the police canine fund. Again, it is sort of remarkable that any event, fundraising or community event, they take place in. It definitely goes noticed by myself. My thoughts and prayers also go out to those affected by the recent super-storm. If you can contribute or donate to a relief effort, do it. There are a lot of people suffering. On a personal note, government big or small is at its very best when it assists those in need at times like this. A lot of these commercials talk about big government and small government, but I guarantee you that a person who

has lost their home, is grateful for the government. This is one time it is rather nice to have a big brother.

I also want to extend a thank you to Chairman Abatta for his gracious comments at the last meeting. I appreciate that very much.

It is the budget time of the year. It is probably the most important time of the year for those of us sitting up here because we have to decide how we are going to get the money and what we are going to spend it on for the next year coming up. As Commissioner Cegelski mentioned earlier, everybody is throwing their arms up on how difficult this year is going to be to forecast any budget with all of the tax assessments and re-assessments and appeals. Please wish us the best. We do have a budget meeting coming up and a budget workshop. This is our local government at its best.

In closing, several residents have come up to me recently and commented on the job, decorum and effort that has been given by this Board. I just want to let those people know that it is nice to appreciate the feedback that we get and it is even more so when that feedback is positive. We signed on and ran for this job, so we will take the good and the bad but having good feedback is appreciated. To all the veterans past and present, I salute you. Veterans Day is coming up and your service to our country goes without notice a lot of times, but your sacrifice is a cornerstone of what this is all about. Everyone please have a great Thanksgiving holiday.

**Vice-Chairman Forquer**, I want to address some of the things that were said by Mr. Simm at the microphone this evening. This is a tough thing for me. I have known him for years. We both live on Eichelberger Drive. I know all the problems that everyone else has had with their lots on Eichelberger Drive. One of the things that I did as a private citizen was stand at that microphone and speak on his behalf. I can't say that I am the one that turned things around for him, I think there were several things. Our Township spent \$250,000 repairing his property. There was a storm drain that pulled apart and washed out the hill. They spent that money to fix that. That took it out of general funds and it hurt us. It cut down on the reserve, but they still did it and I give them credit for that. There are probably at least 7 or 8 homes down there that have had problems. Every thing that happens to a house on Eichelberger Drive, is not the fault of the Township. I installed probably 20 gabion baskets over my hill and I did it myself. Other residents have taken care of their problems on their hills as well. One of the houses up the street had a foundation that was caving in. It has to do somewhat with the design of the foundations. If you don't have ballisters in there with concrete block, things like that are going to happen. Also, I have the minutes from our last meeting where Mr. Simm spoke and that is absolutely false that he said that myself or Commissioner Abatta would stop to look at this problem. People take care of their own problems and to take off on me after I helped you, you have a problem. I am very taken back.

I would like to thank Giant Eagle for their generous donation. I certainly agree with the kudos for our Parks Board because they did an awful lot of work and that was one great fall festival that we had. I do have a couple of other comments. In regards to the Peripheral TIF issues, we have been assured that the trustee has been told to hold all further payments to the developers, including Montour School District's portion, which I stated was approximately \$300,000. Hopefully, this information will get back to the school board as well. Be assured that I will continue to stay on top of this issue until it is resolved. Make no mistake that I understand that free enterprise is an economic driver, but when the municipalities are the ones that end up guaranteeing these TIF contracts and end up with the financial risks, that is absolutely wrong.

There are some clearly defined differences between the major candidates, so make sure that you get to the polls tomorrow and vote. Remember that the most precious right that you have as a U. S. citizen is to vote and every vote counts, so get to the polls tomorrow and be counted.

**Chairman Abatta**, just a few short comments from my perspective. I would also like to address Mr. Simm and some of the comments that he made. With all due respect, the Board did not turn a blind eye to your issues. As Commissioner Forquer stated, we have spent a considerable amount of money in rectifying your problem, which may or may not have been caused by Robinson Township. We took the bull by the horns and we did what we had to do. I cannot change your view or opinion, but I can say that not only me, but other Commissioners that I sat with us here have come to your house many times to rectify problems. It is not like we are turning a blind eye to what you are saying.

Chairman Abatta encouraged everyone to fulfill their right to vote and wished all a Happy Thanksgiving.

MOTION Forquer, SECOND Mapel to adjourn the Meeting.

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

M/C 5-0

Respectfully submitted,

Carol Merks  
Secretary



