

TOWNSHIP OF ROSTRAVER

Minutes of the Monthly Meeting

September 2, 2009

Chairman Lorenzo called the regular monthly meeting of the Rostraver Township Board of Commissioners to order on this date at 6:00 p.m. in the Rostraver Township Municipal Building.

Members present were:

Patrick G Egros	Brian L. Sokol
Thomas G. Patterson	Nick Lorenzo

Chairman Lorenzo said Commissioner Iacoboni is still in the Hospital.

The Pledge of Allegiance was led by Chairman Lorenzo, audience participating.

Attorney Maatta, Engineer DeiCas, and Secretary Beard were also present.

Patrick G. Egros moved there being no additions or corrections to the minutes of the Monthly Meeting of August 5, 2009; and Work Sessions of July 27, 2009 and August 10, 2009 they stand approved as read. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays – 0

COMMITTEE REPORTS:

Chairman of Public Safety, Nick Lorenzo, reported for the month of August, 2009. Criminal Arrests 43, YTD 361; Non-Traffic Citations 11, YTD 172; Traffic Citations 134, YTD 1,229; Parking Tags 1, YTD 30; Written Warnings 23, YTD 125; Total Number of Incidents 870, YTD 6,463; Total Number of Miles Driven 13,884, YTD 117,724. Chairman Lorenzo said Sergeant Robert Glass is retiring from the Police Department. Chairman Lorenzo said he was told that Finley Road will be done at the end of the month.

Chairman of Parks and Recreation, Brian L. Sokol, reported for the month of August, 2009. Commissioner Sokol said all the fall sports programs have begun. Commissioner Sokol said the handicap ramp at the Complex has been completed and thanked Commissioner Egros and the Road Department for their assistance in this project. Commissioner Sokol said the budget request forms for the 2010 year for all the recreation organization's have been sent out and are due back soon.

Chairman of Roads, Streets and Equipment, Patrick G. Egros, reported for the month of August, 2009. Commissioner Egros said the Road Department has been mowing along the roads and doing hot patching in preparation of tarring and chipping. Commissioner Egros said some storm drains and storm pipes have been replaced. Commissioner Egros said they have started milling on Broad Avenue. Commissioner Egros said School has started and be careful driving with children going to bus stops.

Chairman of Health and Welfare, Ralph Iacoboni, was not present. Chairman Lorenzo reported for the month of August, 2009. Chairman Lorenzo gave a sewage report.

Chairman of Budget and Finance, Thomas G. Patterson, reported for the month of August, 2009. Assets: \$1,540,682.13, Revenues & Other Financing Sources: \$218,462.41, Expenditures: \$172,869.48, Debt Principal & Interest Payable: \$469,125.00, Police Pension Fund Assets: \$3,619,071.38. Commissioner Patterson said the Minimum Municipal Obligation for the police pension fund for 2010 will be (0) and the Minimum Municipal Obligation for Township Employees pension fund will be \$63,198.00.

Township Engineer, Carl DeiCas, reported for the month of August, 2009. Twenty nine (29) permits were issued for the month of August. One (1) residential home, three (3) house additions, one (1) hanger addition, one (1) inground swimming pool, one (1) garage, one (1) picnic shelter, one (1) deck, one (1) house dormer, one (1) roof, six (6) signs, five (5) demos, two (2) zonings, four (4) gas wells, one (1) reissued garage. Total construction for the month of August, 2009 - \$435,974. Total construction for the year 2009 - \$5,299,528.00.

Chairman Lorenzo said construction is down this year in the Township.

Attorney Maatta reported for the month of August, 2009. Attorney Maatta said he performed routine business. Attorney Maatta said A & L filed a petition at Pennsylvania Supreme Court.

Chairman Lorenzo said he would like to go into Executive Session before the meeting is adjourned.

CITIZENS WANTING TO DISCUSS AGENDA ITEMS ONLY:

Thomas G. Patterson moved to hear from citizens at this time. Patrick G. Egros seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo - yea

Total yeas – 4; nays – 0

Don Bottman – Mr. Bottman wanted to know what a Tax Collection Committee is. Mr. Bottman also had questions on the bidding and awarding of the contract for Scholl Lane.

PETITIONS, RESOLUTIONS, ORDINANCES:

BILL NO. 592, ORDINANCE NO. 592, introduced by Nick Lorenzo, amending Ordinance No. 421, Chapter 141, Peddling and Soliciting, was given a reading by Solicitor Maatta.

An Ordinance of the Township of Rostraver, Westmoreland County, Pennsylvania, amending Ordinance No. 421, Chapter 141, Peddling and Soliciting.

BE IT ORDAINED AND ENACTED by the Board of Commissioners of Rostraver Township, Westmoreland County, Pennsylvania that the Peddling and Soliciting Ordinance of the Township known as Ordinance No. 421, adopted February 23, 2000, be amended in the following particulars:

141-6 Add: *Amend (6) with the following language:*

(6) In addition to such bond, every applicant except approved non-profits, whether resident or non-resident, must furnish to the Township a certificate evidencing a comprehensive general liability policy covering personal injury and property damage naming the Township as an additional insured thereon. The amount of such coverage shall be no less than Fifty thousand (50,000.00) Dollars for personal injury and Fifty thousand (50,000.00) Dollars for property damage.

Amend (7) with the following language:

141-7 Add: (7) Each solicitor and canvasser except approved non-profits must furnish to the Township a tax identification number as issued by the Internal Revenue Service.

These amendments are effective upon passage.

Thomas G. Patterson moved to waive the final reading of Bill No. 592, Ordinance No. 592. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays - 0

Brian L. Sokol moved Title to Bill No. 592, Ordinance No. 592 be accepted as read. Thomas G. Patterson seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays – 0

Thomas G. Patterson moved Ordinance No. 592 be adopted as read. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays - 0

ORDAINED AND ENACTED into Ordinance this 2nd day of September, 2009. Board of Commissioners. Township of Rostraver. **BY:** Nick Lorenzo, President. **ATTEST:** Pamela S Beard, Secretary

RESOLUTION NO. 856, introduced by Thomas G. Patterson, is a Resolution Appointing Delegates to the Tax Collection Committee (TCC), was given a reading by Solicitor Maatta.

A Resolution of the Township of Rostraver, County of Westmoreland, Pennsylvania appointing delegates to the Tax Collection Committee (TCC).

WHEREAS, Act 32 §505(b) requires the governing bodies of school districts, townships, boroughs, and cities to appoint one voting delegate and one or more alternate delegates to be their Tax Collection Committee (TCC) representatives.

WHEREAS, the purpose of this Resolution is to appoint the required delegates. The appointed individuals have consented to appointment.

RESOLVED, by the Board of Commissioners, Township of Rostraver, Westmoreland County, Pennsylvania, that the following individuals are appointed as TCC delegates for the Township of Rostraver.

1. Primary Voting Delegate David Amatangelo, Finance Director
2. First Alternate Voting Delegate Thomas G. Patterson, Commissioner
3. Second Alternate Voting Delegate..... Nick Lorenzo, Commissioner
4. If the primary voting delegate cannot be present for a TCC meeting, the first alternate voting delegate shall be the representative at the TCC meeting. If both the primary voting delegate and the first alternate voting delegate cannot be present for a TCC meeting, the second alternate voting delegate shall be the representative at the TCC meeting
5. These appointments are effective immediately and shall continue until successors are appointed. Delegates shall be appointed each year in November or December or as soon thereafter as possible. All delegates shall serve at the pleasure of this governing body and may be removed at any time.

Thomas G. Patterson moved Resolution No. 856 be adopted as read. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

RESOLVED this 2nd day of September, 2009. Board of Commissioners. Township of Rostraver. **BY:** Nick Lorenzo, President **ATTEST:** Pamela S. Beard, Secretary.

RESOLUTION NO. 857, introduced by Patrick G. Egros, is a Resolution Declaring Maronda Homes, Inc. in Default of Their Development Agreement, was given a reading by Solicitor Maatta.

Resolution of the Township of Rostraver

WHEREAS, the Township of Rostraver entered into a certain Development Agreement with Maronda Homes, Inc., on October 30, 2002; and an Amendment to the Developer's Agreement on June 2, 2004; and

WHEREAS, a provision in the Developer's Agreement required a surety provision to guarantee the performance of the terms and conditions set forth in the Agreement as written together with those elements required by the Municipalities Planning Code 53 PS 10101 through 11202; and

WHEREAS, the developer, Maronda Homes, Inc., purchased a certain Irrevocable Letter of Credit from Wells Fargo, principally established in the amount of One Hundred Fifteen Thousand Eight Hundred Sixty-two Dollars (\$115,862.00).

WHEREAS, the Township of Rostraver, upon recommendation of the Township's Planning Agency as well as the Township's engineer and Solicitor, has determined that the developer, Maronda Homes, Inc., is in default of said Developer's Agreement, be it therefore resolved by the Township through its Board of Commissioners at a public meeting duly assembled:

1. That Maronda Homes, Inc. is hereby in default of its Developer's Agreement and Amendment;
2. Maronda Homes, has failed to perform the public improvements for the Renaissance Heights Plan, Phase I, which consists of streets, sanitary sewers, storm water management, recreational facilities and earthwork in the amount of Forty-one Thousand One Hundred Forty Dollars (\$41,140.00).
3. That the Township Planner, Tamira Spedaliere, is hereby directed to claim the amount of Forty-one Thousand One Hundred Forty Dollars (\$41,140.00) from Wells Fargo, its successors or assigns pursuant to Irrevocable Letter of Credit #NZS552221 Amendment No. 3 dated September 5, 2008, by furnishing them with a certified copy of this Resolution.

Patrick G Egros moved Resolution No. 857 be adopted as read. Thomas G Patterson seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays – 0

RESOLVED this 2nd day of September, 2009 Board of Commissioners. Township of Rostraver. **BY:** Nick Lorenzo, President. **ATTEST:** Pamela S. Beard, Secretary.

OLD BUSINESS:

Thomas G. Patterson moved to approve Mason Plan No. 1, William H. Jr. & Crystal D. Mason, Simple Subdivision. A subdivision of tax map number 56-08-00-0-070 for a side yard addition to an existing single family lot located off of Shilo Lane to correct a property line encroachment. The residual lot will consist of 1.06 acres and 0.09 acres will be added on to the existing single family lot with a non-building waiver. The Planning Agency recommends approval. Patrick G. Egros seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays - 0

Patrick G. Egros moved to open and read "Scholl Lane Bridge Replacement Contract 2009-3" bids received. Thomas G. Patterson seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays – 0

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| 1. | Lone Pine Construction, Inc. | \$33,000.00 |
| 2. | Donegal Construction | \$31,966.80 |
| 3. | BCS Construction, Inc. | \$33,526.00 |

Patrick G. Egros moved Donegal Construction be awarded "Scholl Lane Bridge Replacement Contract 2009-3". Thomas G. Patterson seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays – 0

Prior to Commissioner Sokol's vote he said there was a \$20,000.00 grant that was received for this project and wanted to know if there is an additional \$11,000.00 in the budget to cover the cost. Chairman Lorenzo and Commissioner Patterson said the \$11,000.00 is in the budget to cover the project.

NEW BUSINESS:

Thomas G. Patterson moved all bills presented be approved/ratified for payment. Patrick G. Egros seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays – 0

Brian L. Sokol moved to accept the resignation/retirement of Sergeant Robert J. Glass effective September 5, 2009. Patrick G. Egros seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays - 0

Chairman Lorenzo said Sergeant Glass did a fine job as a Police Officer at Rostraver and would like to send him a letter of appreciation from the Board of Commissioners.

Patrick G. Egros moved to order 660 pounds (6 cases) of rat bait through the Penn State Rat Bait Program at a cost of \$1.95 per pound (\$214.50 per case) Thomas G. Patterson seconded the motion The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays – 0

Thomas G. Patterson moved to ratify Chester Engineers advertising for bids to replace Scholl Lane Bridge. Patrick G. Egros seconded the motion The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays – 0

Thomas G. Patterson moved finance Director Amatangelo attending the 3rd Annual PAPERS Fall Workshop to be held Wednesday, September 23, 2009 from 7 a.m – 5 p.m. at the Holiday Inn, Monroeville There is no cost to attend. Patrick G. Egros seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays - 0

Patrick G. Egros moved Sewage Enforcement Officer Lohr attending Troubleshooting Onlot Systems to be held Thursday, November 5, 2009 at the Holiday Inn, Uniontown. There is no cost to attend. Thomas G. Patterson seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays – 0

Thomas G. Patterson moved to refund Township taxes in the amount of \$32.27 (2009) to David A. Zollars, Beth Yoder, 200 Summit Drive, Belle Vernon, PA 15012 (Tax Map No. 56-09-10-0-001) due to Westmoreland County Supplemental Appeal exoneration. Brian L. Sokol seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo – yea

Total yeas – 4; nays - 0

CORRESPONDENCE: Distributed at work sessions, reviewed and filed for reference.

AJOURNED INTO EXECUTIVE SESSION AT 6:34 P.M.

RECOVERED INTO MONTHLY MEETING AT 6:50 P.M.

CITIZENS TO BE HEARD:

Brian L. Sokol moved to hear from citizens in attendance. Patrick G. Egros seconded the motion. The following yea and nay votes were recorded:

Patrick G. Egros – yea	Brian L. Sokol – yea
Thomas G. Patterson – yea	Nick Lorenzo - yea

Total yeas – 4; nays - 0

Don Botman, 336 Nichols Hill Road – Mr. Botman said there was a hearing for a Special Exception for Lynch Landscaping at the Zoning Hearing Board without advertising. Mr. Botman said the Zoning Hearing Board denied the Use Variance but gave Lynch Landscaping a Special Exception for stripping and selling topsoil with no hearings. Mr. Bottman said there is no Special Exception in a B-2 zoning for stripping and selling of topsoil, it was created and awarded by the Zoning Hearing Board and was a violation of the law. Mr. Bottman said that Special Exception can only be created by Ordinance by elected officials. Mr. Bottman said the Commissioners should investigate what he is saying is true and if it is true you can tell the Zoning Hearing Board their errors and ask for their resignations.

Chairman Lorenzo said he will talk to the Zoning Hearing Board.

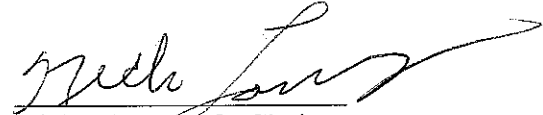
ADJOURNMENT:

Thomas G. Patterson moved monthly meeting be adjourned at 6:40 p.m. Patrick G. Egros seconded the motion. The following yea and nay votes were recorded:


Patrick G. Egros – yea
Thomas G. Patterson – yea

Brian L. Sokol – yea
Nick Lorenzo - yea

Total yeas – 4; nays - 0


Nick LORENZO, Chairman

ATTEST:


Pamela S. BEARD, Township Secretary

THIS MEETING WAS TAPED