

West Deer Township
Board of Supervisors
Reorganization Meeting
3 January 2017
8:00 p.m.

The West Deer Township Board of Supervisors held their Reorganization Meeting at the West Deer Township Municipal Building. Members present: Richard W. DiSanti, Jr., Jeffrey D. Fleming, Rick W. Florentine, Leonard Guerre, Shirley Hollibaugh, Joyce A. Romig and Gerry Vaerewyck. Also present were: Daniel J. Mator, Jr., Township Manager; Barbara Nardis, Finance Officer; and Douglas Happel, representing Griffith, McCague, & Wallace.

MEETING CALLED TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL TAKEN BY MR. MATOR – QUORUM PRESENT

OPEN NOMINATIONS TO ELECT CHAIRPERSON

Nominations opened for Chairperson:

- Supervisor DiSanti nominated Jeffrey Fleming
- Supervisor Vaerewyck nominated Joyce Romig

Nominations closed.

A roll call vote was taken – by stating a nominee by name – to appoint a nominee as Chairperson of the West Deer Township Board of Supervisors for the Year 2017. Members are permitted to vote for themselves.

Dr. DiSanti – voted for Jeffrey Fleming
Mr. Florentine – voted for Jeffrey Fleming
Mr. Guerre – voted for Jeffrey Fleming
Mrs. Hollibaugh – voted for Jeffrey Fleming
Mrs. Romig – voted for Jeffrey Fleming
Mr. Vaerewyck – voted for Joyce Romig
Mr. Fleming – voted for Jeffrey Fleming

Mr. Fleming – 6 votes and Mrs. Romig – 1 vote

2017 Chairperson – Jeffrey Fleming

OPEN NOMINATIONS TO ELECT VICE CHAIRPERSON

Nominations opened for Vice Chairperson:

- Supervisor Hollibaugh nominated Richard DiSanti

Nominations closed.

A roll call vote was taken to appoint a nominee as Vice Chairperson of the West Deer Township Board of Supervisors for the Year 2017.

Mr. Florentine – voted for Richard DiSanti
Mr. Guerre – voted for Richard DiSanti
Mrs. Hollibaugh – voted for Richard DiSanti
Mrs. Romig – voted for Richard DiSanti
Mr. Vaerewyck – voted for Richard DiSanti
Dr. DiSanti – voted for Richard DiSanti
Mr. Fleming – voted for Richard DiSanti

Dr. DiSanti – 7 votes.

2017 Vice Chairperson – Richard W. DiSanti, Jr.

Dr. DiSanti and Mr. Fleming thanked the Board for their vote of confidence.

APPOINT TOWNSHIP AUDITOR

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Florentine to appoint Mark C. Turnley, Certified Public Accountant, as the Township Auditor of West Deer Township for the Year 2017. A roll call vote was taken. Members voting yes: Dr. DiSanti, Mrs. Romig, Mr. Florentine, Mr. Guerre, Mrs. Hollibaugh, and Mr. Fleming. Member voting no: Mr. Vaerewyck. Motion carried 6 – yes and 1 – no.

FURNISH BONDS

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Guerre to furnish bonds for the Township Manager and the Administrative personnel for the Year 2017. The bonds will be paid from the General Fund. Motion carried unanimously 7-0.

ESTABLISH RULES OF ORDER & ROBERT’S RULES OF ORDER

RULES OF ORDER

**TOWNSHIP POLICY GOVERNING PUBLIC MEETINGS
TOWNSHIP OF WEST DEER**

1. AGENDA REQUIREMENT:

It is the Township's Policy that requests to be placed on the Agenda for a Board of Supervisor's Meeting must be received in writing at least seven days prior to the date set for the meeting.

2. MEETINGS:

It shall be the duty of the Board to meet stately at least once a month. The Board may adjourn to a stated time for general business or for special business. If no quorum is present at a regular or adjourned meeting, a majority of those who do meet may agree upon another date for a meeting and may continue to so agree until the meeting is held. Special meetings may be called by the Chairman or upon written request of at least four of the members thereof. Members shall have at least twenty-four (24) hours' notice of such special meetings. The notice shall state whether it is for general or special purposes, and if it is for special purposes, the notice shall contain a statement of the nature of the business to be considered. Presence at a meeting constitutes waiver of notice.

3. RECORDS:

The Board shall make and preserve minutes and records of its proceedings. These records shall be open for public inspection during reasonable hours. In addition, at least one week prior to any regular meeting, the Board shall release an agenda of the regular meeting and within one week after the regular meeting, the Board shall release a summary of action taken at the meeting. Within one week after any special meeting the Board shall release a summary of action taken at the special meeting. For the purposes of this section, releases may appear in any newspaper or other publication generally circulated in the Township on a monthly, weekly, or daily basis.

No business shall be transacted at regular meetings unless the subject appears on the agenda. Any emergency matters may be considered at special meetings upon twenty-four (24) hours' notice.

4. PUBLIC MEETINGS:

All official meetings of the Board shall be open for public attendance. All official votes of the Board shall be taken openly.

5. OPERATING RULES:

The Board shall by resolution adopt rules of procedure for its meetings and for assignment of members to committees. Such rules shall be designed to assure full and equal participation in the deliberations of the Board by all of its members.

6. QUORUM:

A majority of the members of the Board shall constitute a quorum. The Board shall conduct no business except in the presence of a quorum.

7. MAJORITY ACTION:

The action of a majority of the Supervisors present and entitled to vote, unless otherwise stated in this Charter, shall be binding upon and constitute the action of the Board.

8. FORM OF ACTION BY THE BOARD:

Official actions of the Board may be taken by adoption of an ordinance, or a resolution, or by motion. All ordinances and resolutions must be in written form. All actions of a legislative character shall be taken by ordinance. All other actions of the Board shall be by resolution or motion, unless otherwise required in this Charter, or in the resolution establishing the rules of procedure. However, no such administrative action shall be void otherwise adversely affected if it shall have been taken by ordinance. All final action in adopting ordinances or resolutions shall be by roll call vote, and the vote of each member of the Board shall be entered in the minutes of the meeting.

9. CITIZENS' RIGHT TO BE HEARD:

The Board shall provide reasonable opportunity for interested citizens and taxpayers to address the Board on matters of general or special concern. This opportunity may be afforded the public either at the regular monthly Board meeting or at another regular monthly meeting specially set for this purpose.

Upon petition signed by two hundred registered voters of the Township, the Board shall set a special meeting of the Board to hear matters set forth in the citizens' petition. The special meeting of the Board shall be set within thirty (30) days after the petition is filed with the Township Secretary.

MOTION BY Supervisor Vaerewyck to follow what is stated in the Charter and the Robert's Rules of Order for the Year 2017.

Chairman Fleming asked Mr. Vaerewyck for clarification as to why Supervisor Vaerewyck changed the motion the Board had in front of them.

Mr. Vaerewyck answered that the Rules of Order is not our Charter. He stated that he objected to the two-page summation taken from Robert's Rules of Order, and argued that it is in conflict with the Township's Home Rule Charter.

Supervisor DiSanti responded that the Township has long used Robert's Rules of Order, and that it is an accepted understanding of meeting procedures.

Supervisor Vaerewyck said he was not objecting to the use of Robert's Rules of Order, but to the two-page summation shown in the Board's agenda packet.

Chairman Fleming questioned Mr. Vaerewyck's intent by asking – since the packets were delivered the week prior to the meeting – why he was just bringing up his objection during the meeting instead of earlier when this issue could have been looked into and the motion changed in time for the meeting. Mr. Fleming then asked Mr. Happel what his feeling was on the matter.

Mr. Happel agreed that the Township does need to follow the Charter. He stated that the two-page summation might be incorrect as to the practice of the Township, but that it is "impractical" anyhow if it is contrary to the Charter.

Much discussion was held.

Mr. Happel finally recommended that the Board adopt the Robert's Rules of Order for the Year 2017.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor DiSanti to change his motion to re-establish the Robert's Rules of Order for the Year 2017. Motion carried unanimously 7-0.

DEPOSITORY FOR FUNDS

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Vaerewyck to designate PNC Bank and PLGIT (PA Local Government Investment Trust) as depositories for the Township funds for the Year 2017. Motion carried unanimously 7-0.

FACSIMILE STAMP SIGNATURE

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor Florentine to authorize the use of the facsimile stamp signature on all of the West Deer Township accounts. Motion carried unanimously 7-0.

SET MONTHLY MEETING DATE AND TIME

MOTION BY Supervisor Vaerewyck to set the Township meeting on the third Wednesday of each month at 7:00 p.m. for the Year 2017 and executive session at 6:00 p.m. as needed, and an agenda meeting on the first Wednesday of each month at 7:00 p.m., and advertise in accordance with the Law.
NO SECOND – MOTION FAILED.

MOTION BY Supervisor Florentine and SECONDED BY Supervisor Hollibaugh to set the Township meeting on the third Wednesday of each month at 6:30 p.m. for the Year 2017 and executive session at

6:00 p.m., as needed, and advertise in accordance with the Law. A roll call vote was taken. Members voting yes: Mrs. Romig, Dr. DiSanti, Mr. Florentine, Mr. Guerre, Mrs. Hollibaugh, and Mr. Fleming. Member voting no: Mr. Vaerewyck. Motion carried 6 – yes and 1 – no.

APPOINT DELEGATE AND ALTERNATE: NORTH HILLS COUNCIL OF GOVERNMENTS FOR THE YEAR 2017

DELEGATE: Rick Florentine

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Vaerewyck to appoint Mr. Florentine as the Delegate to the North Hills Council of Governments for the Year 2017. A roll call vote was taken. Members voting yes: Mr. Vaerewyck, Dr. DiSanti, Mr. Guerre, Mrs. Hollibaugh, Mrs. Romig, and Mr. Fleming. Member voting no: Mr. Florentine. Motion carried 6 – yes and 1 – no.

ALTERNATE: Leonard Guerre

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor DiSanti to appoint Mr. Guerre as the Alternate Delegate to the North Hills Council of Governments for the Year 2017. Motion carried unanimously 7-0.

APPOINT DELEGATE AND ALTERNATE: ALLEGHENY COUNTY ASSOCIATION OF TOWNSHIP OFFICIALS FOR THE YEAR 2017

DELEGATE: Shirley Hollibaugh

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Guerre to appoint Mrs. Hollibaugh as the Voting Delegate to the Allegheny County Association of Township Officials for the Year 2017. Motion carried unanimously 7-0.

ALTERNATE: Joyce Romig

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Hollibaugh to appoint Mrs. Romig as the Voting Alternate to the Allegheny County Association of Township Officials for the Year 2017. Motion carried unanimously 7-0.

APPOINT DELEGATE AND ALTERNATE: EIT TAX COMMITTEE

DELEGATE: Daniel Mator

MOTION BY Supervisor Guerre and SECONDED BY Supervisor DiSanti to appoint Daniel Mator as Delegate to the Allegheny North Tax Collection Committee for the Year 2017. Motion carried unanimously 7-0.

ALTERNATE: Jeffrey Fleming

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor DiSanti to appoint Mr. Fleming as an Alternate to the Allegheny North Tax Collection Committee for the Year 2017. Motion carried unanimously 7-0.

CONFERENCES

The Allegheny County Association of Township Officials 2017 Seven Springs Conferences are held in the spring and fall.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Guerre to authorize the Board members to attend the spring and fall conferences of the Allegheny County Association of Township Officials, and expenses to be reimbursed for the Board members for the day attendance.

A few supervisors were confused by Supervisor Vaerewyck's motion because his motion was different from that which was distributed in the agenda packet. Mr. Vaerewyck explained his rationale by saying it is between \$800 to \$1,000 for the three-day conference, but \$175 for Saturday only. He pointed out that it is only an hour and a half drive there, that he feels the supervisors have not brought back that much information of value from the conference, and that Saturday is the day when most of the events take place. In addition, Supervisor Vaerewyck stated that the Board just raised taxes and that he felt it would be reasonable to cut back on expenses.

Mrs. Hollibaugh indicated it would be a mistake that there are a lot of meetings and functions the entire conference.

Supervisor Guerre agreed with Mrs. Hollibaugh, and added that the supervisors have the opportunity to network with a lot of other public officials at the conference.

Chairman Fleming re-read the motion and the second. Mr. Guerre indicated he did not hear the end of Mr. Vaerewyck's motion and withdrew his SECOND.

NO SECOND. MOTION FAILED.

MOTION BY Supervisor Guerre and SECONDED BY Supervisor Hollibaugh to authorize the Board members to attend the spring and fall conferences of the Allegheny County Association of Township Officials and expenses to be reimbursed for the Board members. A roll call vote was taken. Members voting yes: Mrs. Romig, Dr. DiSanti, Mr. Florentine, Mr. Guerre, Mrs. Hollibaugh, and Mr. Fleming. Member voting no: Mr. Vaerewyck. Motion carried 6 – yes and 1 – no.

2017 BOARD APPOINTMENTS

As of 31 December 2016, there are vacancies on the Planning Commission, Zoning Hearing Board, Parks & Recreation Board and the Deer Creek Drainage Basin Authority. The Township advertised for all of the vacancies.

- **PLANNING COMMISSION - Two Appointments**

Two members' terms expired 31 December 2016:

- 1) Katharine M. Rojik
- 2) Robert S. Bechtold

Both Mrs. Rojik and Mr. Bechtold requested reappointment.

The Township also received the following Letters of Interest:

- 3) Patrick D. Stark
- 4) Alan M. Banks
- 5) Michael W. Hill

MOTION BY Supervisor Florentine and SECONDED BY Supervisor Hollibaugh to appoint Katharine M. Rojik as a member of the Planning Commission for a four (4) year term to expire 31 December 2020. Motion carried unanimously 7-0.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Florentine to appoint Robert S. Bechtold as a member of the Planning Commission for a four (4) year term to expire 31 December 2020. Motion carried unanimously 7-0.

- **ZONING HEARING BOARD - Two Appointments**

Two members' terms expired 31 December 2016.

- 1) Neil Tristani, Member
- 2) James Smullin as an Alternate Member

The Township did not receive any other Letters of Interest.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Guerre to appoint Neil Tristani as a member of the Zoning Hearing Board for a five year term to expire 31 December 2021. A roll call vote was taken. Members voting yes: Mr. Guerre, Mrs. Hollibaugh, Mrs. Romig, Mr. Vaerewyck, Dr. DiSanti, and Mr. Fleming. Member abstaining: Rick Florentine. Motion carried 6 – yes and 1 – abstention.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Romig to appoint James Smullin as an alternate member of the Zoning Hearing Board for a five year term to expire 31 December 2021. Motion carried unanimously 7-0.

- **PARKS & RECREATION BOARD – Two Appointments**

Two members' terms expired on December 31, 2016:

- 1) Carol McCaskey
- 2) Sue Fink

Mrs. McCaskey requested reappointment.
Mrs. Fink did not request reappointment.

The Township also received the following Letter of Interest from:

- 3) Brandon J. Farster

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Hollibaugh to appoint Carol McCaskey as a member of the Parks & Recreation Board for a five year term to expire 31 December 2021. Motion carried unanimously 7-0.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Florentine to appoint Brandon J. Farster as a member of the Parks & Recreation Board for a five year term to expire 31 December 2021. Motion carried unanimously 7-0.

- **DEER CREEK DRAINAGE BASIN AUTHORITY – Two Appointments**

In 2016, West Deer Township had four members and Indiana Township had five members serve on the Deer Creek Drainage Basin Authority.

In 2017, West Deer Township will have five members and Indiana will have four members serve on the Deer Creek Drainage Basin Authority.

One members' term expired 31 December 2016: Jack Hammerman

- 1) Mr. Hammerman requested reappointment.

The Township also received Letters of Interest from:

- 2) Ronald A. Plesh
- 3) Donald Simonetti
- 4) Daniel Coluccio
- 5) Dennis L. Kreider
- 6) Ronald L. Borczyk

MOTION BY Supervisor Vaerewyck to appoint Dennis L. Kreider as a member of the Deer Creek Drainage Basin Authority for a five year term to expire 31 December 2021.

NO SECOND – MOTION FAILED

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor DiSanti to appoint Donald Simonetti as a member of the Deer Creek Drainage Basin Authority for a five year term to expire 31 December 2021. A roll call vote was taken. Members voting yes: Dr. DiSanti, Mr. Florentine, Mr. Guerre, and Mrs. Hollibaugh. Members voting no: Mrs. Romig and Mr. Vaerewyck. Member abstaining: Mr. Fleming. Motion carried 4 – yes, 2 – no, and 1 – abstention.

MOTION BY Supervisor Florentine and SECONDED BY Supervisor Guerre to appoint Daniel Coluccio as a member of the Deer Creek Drainage Basin Authority for a five year term to expire 31 December 2021. A roll call vote was taken. Members voting yes: Mr. Florentine, Mr. Guerre, Mrs. Hollibaugh, Mrs. Romig, Dr. DiSanti, and Mr. Fleming. Member voting no: Mr. Vaerewyck. Motion carried 6 – yes and 1 – no.

SET AGENDA: 18 January 2017

6:00 p.m. -- Executive Session

6:30 p.m. -- Regular Meeting

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Executive Session Held
5. Registered Comments from the Public
6. Comments from the Public
7. Accept minutes
8. Monthly Financial Report
 - A. Finance Officer's Report
 - B. List of Bills
 - C. Utilities and Payroll
 - D. Tax Refunds
9. Police Chief's Report
10. Building Inspector/Code Enforcement Officer's Report
11. Report from the Parks & Recreation Board
12. Engineer's Report
13. 2017 Salvage Yard License Applications
 - A. Blazczak Salvage, Inc.
 - B. Boulevard Auto & Truck Salvage, LLC
 - C. Catanese Brothers Salvage
 - D. IAA Acquisition Corp.
14. Hire Part Time Police Officer
15. Authorize Advertisement: Tax Collector Salary Ordinance
16. Authorize Advertisement: Advertising and Bidding Ordinance
17. Authorize Advertisement: Administrative Policies and Procedures
18. Senior Citizen Center Flooring Award
19. Senior Citizen Wall Repair
20. Planning Module: Eisenbarth
21. Old Business
22. New Business
23. Set Agenda: February 15, 2017
24. Comments from the Public
25. Adjournment

At this time, Mr. Vaerewyck commented that the Senior Citizen Center flooring was discussed at the November meeting and asked why it was never placed on the December meeting agenda.

Mr. Mator began explaining why the flooring was not on the agenda, but Supervisor Vaerewyck interrupted and questioned who gave Mr. Mator the authority to take an item off the agenda when the Board discussed placing the item on the agenda. Mr. Vaerewyck stated he felt this was a violation of the Township Charter.

Mr. Mator again started explaining what had happened by stating that the Board had nothing to vote on at the December meeting, but was again interrupted by Mr. Vaerewyck, who admonished the Township Manager for removing items from the agenda.

Mr. Mator asked that he be given the chance to answer the question posed to him and explained that – at the November meeting – the Board instructed Mr. Mator to contact Mrs. Barbara Thompson from the Senior Center, ask her to go to a local flooring dealer, pick out a style/color, and then bid out the specifications of the sample she selected. He explained that Mrs. Thompson had not had a chance to select a sample until after the Thanksgiving holiday, and Mr. Mator therefore did not receive the specifications early enough to be able to advertise the flooring for bids. Therefore, the Board had nothing to vote upon at their December meeting.

Supervisor Vaerewyck challenged that the item still should have been on the agenda to be tabled, but Mr. Mator countered that – thought the item could have been on the agenda – nothing could have been done with the motion anyhow.

Mr. Mator then stated he would defer to the solicitor as to whether or not an item should be on the agenda if the Board could not take action on the item. Supervisor Vaerewyck agreed with asking for the solicitor's opinion, but from the point-of-view of the legality of an item being removed without Board action.

Mr. Happel did not know the answer and stated that he would “have to take a look at that.”

Mr. Mator addressed Mr. Happel and stated that removing items where no action could be taken has been a regular practice of the Township for years, and used the example of the “Authorize Advertisement: Administrative Policies and Procedures” seen on the meeting's agenda-setting as something that has been on the agenda – and removed – for the past half-year. Mr. Mator explained that the advertisement has been removed each month because the administration has been busy with other items “such as putting out fires” and has not had the time to get the Board something to vote upon.

Mr. Mator added that “it is not like the Board doesn't know about it,” and challenged that he does not receive phone calls from Board members between the time the Board receives their agenda packets and the time of the meeting asking why items are, or are not, on the agenda.

Mr. Mator then addressed Supervisor Vaerewyck directly and stated “I love how it's always *my* agenda,” and explained that – despite Mr. Vaerewyck's contentions over the years – it is the *Board's* agenda. He reiterated that the Board has access to it five days in advance of a meeting, but that “we hear about it *now*” during the meeting. Furthermore, Mr. Mator stated, he runs the agenda item changes past the Chairman and the Township Solicitor.

Mr. Mator then debunked the same erroneous accusations made by Mr. Vaerewyck over the years regarding Mr. Mator supposedly creating executive session agendas by asking the two former chairpeople (Dr. DiSanti and Mrs. Hollibaugh) and the current Chairman if Mr. Mator contacts them the week prior to a meeting and asks what *they* want on the agenda. All three acknowledged the veracity of Mr. Mator's statement, and Mr. Mator again addressed Supervisor Vaerewyck's attack by stating “I know it would sound great to say it's my fault.”

Mr. Vaerewyck responded by stating that he is only saying that the Board set the agenda at a public

meeting, and that the agenda was changed between then and the following meeting.

Mr. Happel intervened and said he would look into the matter. He said that he felt Robert's Rules of Order permit such a change, and that he does not think the Township Charter addresses the issue, but would perform the research to be sure.

Mr. Happel further stated that it was his feeling that if no action could have been taken on an item, that it would make sense for the Board to take the matter up at the next meeting.

Mr. Mator also added that the Board could always bring up the issue under "Old Business" if it wanted to alert the public as to why the item wasn't on the agenda.

Mr. Happel clarified that the Charter only addresses voting on an item that is not on the agenda, and that he sees no issue with removing an item from an agenda to shorten a meeting.

Chairman Fleming and Mrs. Hollibaugh both stated that there were no bids to be voted upon, and Mr. Happel concurred.

Dr. DiSanti then addressed Chairman Fleming, and confirmed that Mr. Mator sends emails to both he, as the Vice-Chair, and Mr. Fleming with agenda items whose statuses have changed. He added that he has no problem with Chairman Fleming making changes to the agenda if necessary.

Chairman Fleming agreed with Dr. DiSanti and said that the Board has the booklets a week in advance, and that – if there are any questions – then the members need to say something before the meeting.

The Chairman ended the discussion by addressing Supervisor Vaerewyck directly by stating "time and time again you come to a meeting where you think you put your thumb on somebody, and you're not. All we ask you to do is – if you got an issue – come up with it and say it so we can get it squared around before we are up in the middle of the public with a meeting." Mr. Fleming explained that Mr. Mator contacted him four times in regard to the Senior Center flooring, and he instructed Mr. Mator to remove it from the agenda because there was nothing to vote upon.

Mr. Mator then requested that the following items to be added to the agenda per the Chief Lape.

Items Added:

- *Start the process for promotion of a part-time officer to full-time
- *Start the process for promotion of a full-time officer to Sergeant
- *Police SUV

Chief Lape summarized the process and the items on the agenda for the Police Department.

ADJOURNMENT

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor Guerre to adjourn at 8:45 p.m. Motion carried unanimously 7-0. Meeting adjourned.

Daniel J. Mator, Township Manager