

West Deer Township
Board of Supervisors
21 October 2020
7:00 p.m.

Members present at the Regular Business Meeting: Arlind Karpuzi, Chairperson; Shirley Hollibaugh, Vice Chair; Brandon Forbes; and Beverly Jordan. Also present were: Daniel Mator, Township Manager; Gavin Robb, Township Solicitor; and Scott Shoup, Township Engineer.

OPEN REGULAR BUSINESS MEETING

Chairman Karpuzi opened and welcomed everyone to the meeting, and led those in attendance in reciting the Pledge of Allegiance.

Roll Call was taken by Mr. Mator – Quorum present.

COMMENTS FROM THE PUBLIC

- None

CHAIRMAN'S REMARKS

- Chairman Karpuzi emphasized that this is the first Regular Business Meeting with one supervisor short in 2020 and asked fellow supervisors to say a few words about Mr. Maudhuit. Each Supervisor individually offered their condolences and shared some memories of him.

ACCEPT MINUTES

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Forbes to accept the minutes of the 16 September 2020 meeting as presented. Motion carried unanimously 4-0.

MONTHLY FINANCIAL REPORT

TOWNSHIP OF WEST DEER **FINANCE OFFICER'S REPORT** **30 September 2020**

I - GENERAL FUND:

	<u>September</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues	523,928.98	5,086,654.55	78.50%
Expenditures	826,000.24	4,256,506.48	65.68%
Cash and Cash Equivalents:			
Sweep Account		<u>1,022,064.52</u>	
			<u>1,022,064.52</u>

II - SPECIAL REVENUE FUNDS

Cash and Cash Equivalents:

Street Light Fund:

Sweep Account - Restricted 59,179.07

Fire Tax Fund:

Sweep Account - Restricted 68,167.99

State/Liquid Fuels Fund:

Sweep Account - Restricted 148,433.78

275,780.84

Investments:

Operating Reserve Fund:

Sweep Account - Reserved 630,352.60

Capital Reserve Fund:

Sweep Account - Reserved 1,468,563.19

2,098,761.15

III - CAPITAL PROJECT FUNDS:

Cash and Cash Equivalents:

0.00

0.00

TOTAL CASH BALANCE 08/31/20

3,396,761.15

Interest Earned August 2020

42.13

Mars National - VFC #3

9/1/2020 Debt Balance \$134,446.26

September Principal Payment

\$2,607.94

9/30/2020 Debt Balance

\$132,303.65

NexTier Bank VFC #2

9/1/2020 Debt Balance \$413,313.24

\$2,680.96

\$412,005.21

Restricted – Money which is restricted by legal or contractual requirements.

Reserved – Money which is earmarked for a specific future use.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to approve the Finance Officer’s Report as submitted. Motion carried unanimously 4-0.

SEPTEMBER LIST OF BILLS

Air-Vac Inc	3580.00
Amerikohl Aggregates Inc.....	2103.30
Amerikohl Transport Inc	929.89
Bearcom.....	194.97
Best Wholesale Tire Co. Inc	798.95
Hei-Way, LLC	1491.30
Jordan Tax Service Inc	371.36
Kress Tire	501.00
Office Depot	752.96
Roadsafe Traffic Systems	685.00
Shoup Engineering..	3847.00

Stephenson Equipment Inc.....	9600.00
Toshiba Financial Services.....	494.11
Tucker/Arensberg Attorneys.....	2787.58

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to pay the List of Bills as submitted, and all approved reimbursable items in compliance with generally accepted accounting practices. Motion carried unanimously 4-0.

POLICE CHIEF’S REPORT

Chief Jon Lape was present and provided a summary report on the Police Department for the month of September 2020. A copy of the report is on file at the Township.

Chief Lape thanked Sergeant Robert Loper and police secretary Jennifer Borczyk for managing the office while he was out. He also thanked the supervisors, Mr. Mator, and Mr. Payne for their assistance and support.

- Mrs. Jordan expressed that she was happy to see him back, and brought up an email that she had sent to the Chief praising how the Police handled Mr. Maudhuit’s procession – stating that the Police did a wonderful job, and that Sergeant Loper handled it all perfectly.

Chief Lape concurred by again acknowledging the department and Sergeant Loper.

Chief Lape informed the Board that the Police Toy Donation Program will start up early November and will be posted on Township website and Facebook page. He is expecting a more than usual need due to COVID-19, but said he currently had a reserve of funding and toys if they are needed.

PUBLIC WORKS FOREMAN’S REPORT

Mr. Kevin Olar provided a summary report on the Public Works Department for the month of September 2020. A copy of the report is on file at the Township.

ENGINEER’S REPORT

The Board received the Engineer’s Report submitted by Shoup Engineering, Inc. Mr. Scott Shoup represented Shoup Engineering, Inc., and summarized the meeting attendance and details of his formal report:

September Development/Projects

- Bairdford Park – GEDF Grant – B-1 Ballfield Project
 - The project was awarded to Santamaria Landscape & Cement Contractors, Inc. and contract documents had been executed. He said that the contractor had begun the project the last week of September.

September Development/Subdivision Review

- The following subdivision and land development plan projects had been reviewed, and review letters were issued to the Township as noted:
 - Leto and Dionysus Well Pads
 - Multiple reviews of these types of plans have been performed, and are scheduled for additional review by the Planning Commission as conditions permit.
 - Oakwood Heights Plan – Phase 2 and 3
 - A review of the revised preliminary and final subdivision plans for this development was prepared and a review letter was issued on 26 August 2020.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER'S REPORT

Mr. Bill Payne was present and provided a summary report on Code Enforcement for the month of September 2020. A copy of the report is on file at the Township.

CDC STEERING COMMITTEE REPORT

Mr. Karpuzi explained in detail what the CDC Steering Committee is, and stated that there was no update at this time.

REPORT FROM THE PARKS AND RECREATION BOARD

Mrs. Amy Stark, Chairwoman, provided a summary report on the Parks and Recreation Board. A copy of the report is on file at the Township.

ACCEPTANCE: RESIGNATION OF PART-TIME POLICE OFFICER

The Board is in receipt of the attached memo from Chief Jonathan Lape stating that part-time police officer Bret Vulakovich has resigned from his position effective 1 January 2021.

Chief Lape emphasized that Officer Vulakovich has not yet formally provided written notice, but that he alerted the Chief and will be providing such notice.

MOTION BY Supervisor Forbes and SECONDED BY Supervisor Jordan to accept the resignation of part-time police officer Bret Vulakovich and wish him the best of luck Motion carried unanimously 4-0.

ADOPTION: ORDINANCE NO. 437 (FALSE ALARM ORDINANCE)

At its last meeting, the Board of Supervisors discussed a False Alarm Ordinance to combat the proliferation of false alarm calls taking valuable public safety personnel time and resources.

ORDINANCE NO. 437

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 72 ("FALSE ALARMS") OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF WEST DEER, TO ADD A DEFINITION OF WHAT SHALL BE CONSIDERED AN "ACCIDENTAL FALSE ALARM;" TO INCREASE THE CHARGE ISSUED FOR MULTIPLE FALSE ALARMS OCCURRING AT A PROPERTY DURING A CALENDAR YEAR; AND TO PROVIDE THAT THE VOLUNTEER FIRE COMPANY RESPONDING TO ANY FALSE ALARM SHALL RECEIVE THE PROCEEDS FROM THAT FALSE ALARM CHARGE COLLECTED BY THE TOWNSHIP

Mr. Forbes thanked Mrs. Jordan, Chief Weigand, and the other chiefs for their input and help with updating this Ordinance. He also thanked Mr. Robb for the information that he had researched from other municipalities to add to this Ordinance.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to authorize the adoption of Ordinance No. 437 amending the False Alarm Ordinance of West Deer Township. Motion carried unanimously 4-0.

ADOPTION: ORDINANCE NO. 438 (REAL ESTATE TAX DEFERRAL ORDINANCE)

At its last meeting, the Board of Supervisors discussed a Tax Deferral Ordinance to lessen the burden on lower-income property owners in the Township.

ORDINANCE NO. 438

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, CREATING A NEW ARTICLE XIV OF CHAPTER 189 OF THE WEST DEER TOWNSHIP CODE OF ORDINANCES TO ESTABLISH AN ANNUAL REAL ESTATE TAX DEFERRAL PROGRAM FOR ELIGIBLE HOMESTEADS WITHIN WEST DEER TOWNSHIP

Mr. Karpuzi mentioned that this biggest priority of this Board for the year has been to offer as much relief as possible to the residents of West Deer.

Mr. Forbes emphasized that the Commonwealth does not normally give the Township the tools to make positive changes to tax collection, and he applauded the Board for their support of the Ordinance. He stated that he was excited to have this to help out lower-income homeowners.

Mrs. Jordan encouraged any resident interested in more information to check the meeting minutes from the previous month, or to contact Mr. Mator to get that information. She thanked Mr. Forbes for bringing this Ordinance to the Board's attention.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Forbes to authorize the adoption of Ordinance No. 438 creating a new article XIV of Chapter 189 of the West Deer Township code to establish an annual Real Estate Deferral Program for eligible homesteads in the Township. Motion carried unanimously 4-0.

ADOPTION: RESOLUTION NO. 2020-15 (UPPER ALLEGHENY JOINT SANITARY AUTHORITY ACT 537 PLAN)

As a part of the Upper Allegheny Joint Sanitary Authority, the Township must adopt and authorize the submission of an Act 537 Sewage Facilities Plan.

Mr. Shoup explained that Deer Creek Drainage Basin Authority provides sewer service for most of all West Deer residents, but that part of the Township – about 100 residents – are served by a different sewage authority (Upper Allegheny Joint Sanitary Authority). He stated that this Resolution needed to be signed by all municipalities served by the Upper Allegheny Joint Sanitary Authority in order to permit the \$15 million project needed for mandated improvements to their sanitary sewer system. Mr. Shoup stated that the project costs would be offset by a \$9.00 increase in every resident's sewage bill, but that this was unavoidable.

Mr. Shoup informed the Board that all the other municipalities have already signed and adopted their resolution, and advised the Board to do the same.

MOTION BY Supervisor Forbes and SECONDED BY Supervisor Jordan to adopt Resolution No. 2020-15 adopting the Act 537 Sewage Facilities Plan update for the Upper Allegheny Joint Sanitary Authority, and authorizing its submission the Pennsylvania Department of Environmental Protection for their approval. Motion carried unanimously 4-0.

APPOINTMENT: PARKS AND RECREATION COMMITTEE MEMBER

The Board was in receipt of an attached e-mail from Amy Stark stating that Tracy Harrington had resigned from the Parks and Recreation Board effective 6 September 2020.

Ms. Harrington's term was to expire 31 December 2024, so there was a vacancy to fill Ms. Harrington's unexpired term.

The board received one letter of interest from April Gentile.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to appoint April Gentile as a member of the Parks & Recreation Board to fill the unexpired term of Tracy Harrington, which expires 31 December 2024. Motion carried unanimously 4-0.

AUTHORIZATION: ADVERTISEMENT OF 2021 BUDGET AND BUDGET WORKSHOPS

Mr. Mator announced that the first Budget Meeting will be held at the Township building on 4 November 2020 at 7:00 p.m., and that the second Budget Meeting will immediately follow the Regular Business Meeting of the Board of Supervisors on 18 November 2020.

Mr. Karpuzi stated the adoption of the final budget – if they are on schedule – will be on 16 December 2020 at the Regular Business Meeting. He stressed that this is another opportunity for everyone to make a change, voice their opinion, and make a difference.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Forbes to authorize the advertisements for the 2021 budget as dictated by – and in compliance with – the Township Charter. Motion carried unanimously 4-0.

AUTHORIZATION: B-1 BALLFIELD WALL CHANGE ORDER

Upon commencement of the B-1 Ballfield Rehabilitation Project, the contractor contacted the Township engineer and alerted him that additional work and materials were necessary due to the unforeseen waterline and electrical utilities impediments that were not previously known, and that were not in the bid specifications. The contractor requested guidance, and Mr. Shoup inspected the site.

Change order: addition of work and materials for addressing waterline and electrical utilities.

Mr. Shoup summarized the change order request and recommended approval to be paid.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Forbes to authorize change order #1 for the B-1 Ballfield Rehabilitation Project in the amount of \$490.00 payable to Santamaria Landscape & Cement Contractors, Inc. For the addition of work and materials for addressing waterline and electrical utilities. Motion carried unanimously 4-0.

AUTHORIZATION: ADVERTISEMENT OF ORDINANCE NO. 439 (SHORT-TERM RENTAL)

Over the past few months, the Board has discussed the possibility of adopting a Short-Term Rental Ordinance to address the proliferation of short-term rentals such as Air Bed and Breakfasts (AirBNBs).

ORDINANCE NO. 439**AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 210 ("ZONING") OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF WEST DEER TO DEFINE "SHORT-TERM RENTAL" AND TO AUTHORIZE THE SHORT-TERM RENTAL USE OF A DWELLING IN CERTAIN ZONING DISTRICTS OF THE TOWNSHIP; AND TO ESTABLISH CRITERIA FOR SHORT-TERM RENTALS**

Mr. Robb stated that zoning changes may still affect this Ordinance, so he is fine with tabling it until those changes are made.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to table the advertisement of Ordinance No. 439, amending Chapter 210 of the Code of Ordinances of the Township of West Deer to define "short-term rental," to authorize the short-term rental use of a dwelling in certain zoning districts of the Township, and to establish criteria for such uses. Motion carried unanimously 4-0.

AUTHORIZATION: ADVERTISEMENT OF OAKWOOD HEIGHTS PLAN (PHASES II)

The developer of the Oakwood Heights Planned Development is seeking final approval for Phases II. The Township originally granted preliminary approval of the plan in 2004, and phase one was completed.

Property Location: Parcel # 1510-F-175 (46 acres)
 Zoned: R-3 Suburban Residential
 Number of Lots: 77

The Planning Commission reviewed the proposed plan at their 27 August 2020 meeting. The Commission is recommending approval with the following conditions:

1. Contribute \$600.00 for each lot built to go toward the road improvement to connect the two sections of Ashley Road to be paid at the time of the building permit application in addition to the Traffic Impact and recreation fees.
2. Fire hydrants to be placed at lots 206, 223, 242, 259 and the connection point of the existing waterline adjacent to lot 223.
3. Limit disturbances along rear line lots 244-249 between cut slope and swale and install tree protection fence prior to clearing and grading.
4. Address comments in the Shoup Engineering letter dated 10.15.2020.

Mr. Steven Victor, representing Victor-Wetzel Associates, spoke on the Oakwood Heights Plan. He shared his screen for the Board to view an updated drawing for the pedestrian interconnect between the two cul-de-sacs – Dogwood Circle and Dana Circle – and Bairdford Park. Mr. Victor reported that all engineering items had been addressed and the plan was tabled in September's Regular Business Meeting to take further study of the pedestrian interconnect. He went into great detail of the purposed changes in response to the Board's request:

- Asphalt trail added.
- Identify trailheads by post and rail fencing, post signs for trail and 4 Jack Pear trees.

Mr. Victor is very supportive of what the Board proposed.

Further discussion was held.

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Jordan to authorize the approval of Oakwood Heights Phases II Plan conditioned upon the successful completion of the recommendations made by the Planning Commission, Township engineer and conditions agreed upon at meeting. Motion carried unanimously 4-0.

AUTHORIZATION: APPROVAL OF LEO'S LANDSCAPING DEVELOPMENT PLAN

The applicant was requesting a conditional use in a Special Use Development (SU) Zoning district.

Applicant: Leo Landscaping – Joseph Leo
Location: Gibsonia Road (State Route 910),
4.7 acres (.92 acres for construction)
Zoning district: SU – Special Use
Request: To construct a new building and contractor storage yard for his landscaping business

The Planning Commission voted to recommend approval of the Leo's Landscaping Development Plan contingent upon:

1. Obtaining all Township required permits per Township standards.
2. Successfully addressing all recommendations of the Township engineer in his review dated 23 September 2020.

The Township engineer's review letters dated 23 September 2020 and 15 October 2020 were attached.

Mr. Shoup pointed out that the prior review letter and last review letter he sent to the applicant requested elevation views to show materials being used on the building as well as the appearance of the outside. He explained that when he contacted the representative from Leo's Landscaping, it was discussed that the delay of the elevation views is due to the company who is responsible for handling these being backed up. Mr. Shoup said it was decided that a recommendation for the plan to be tabled and reviewed at November Regular Business Meeting since the Township would like those plans before the final action is taken.

MOTIONED BY Supervisor Forbes and SECONDED BY Supervisor Jordan to table the final approval the Leo's Landscaping Development Plan conditioned upon the successful completion of the recommendations made by the Planning Commission and Township engineer. Motion carried unanimously 4-0.

AUTHORIZATION: HIRING OF PART-TIME POLICE OFFICER

The Board received the attached memorandum from Chief Lape recommending the hiring of Andrew Lindner for the position of part-time police officer.

Satisfactory background checks were performed on the applicant.

Chief Lape explained that due to Officer Vulakovich leaving in January, and Officer Dobransky taking a full-time position with the State that will limit his availability to weekends (Officer Vulakovich's current billet), that Andrew Lindner will be filling Officer Dobransky's position.

MOTIONED BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to hire Andrew Lindner as part-time police officer of West Deer Township, contingent upon his completion of all the necessary steps to obtain certification from the PA Municipal Officers Training Commission. Motion carried unanimously 4-0.

DISCUSSION: HISTORICAL COMMISSION

Mr. Karpuzi reported that there is not much to update. He said the Board is constantly working on how to better the community and how they would like to reserve the history of West Deer Township. Mr. Karpuzi requested everyone to think about it for further discussion.

DISCUSSION: TOWNSHIP NEWSLETTER IN THE FUTURE

Mr. Mator asked for some direction from the Supervisors regarding the newsletter (e.g., how many times next year, written or electronic version, etc.). He stated that in the past, it was to be distributed in January to remind residents about plowing and parking in the winter months and what to expect in the spring, then in July to be a flyer for Community Days and anything that is happening the second half of the year. Mr. Mator explained that if the Board would like something put together for January, it would need to be known now since it takes a good month or two to get it organized, printed by the publisher, and out to residents.

Mrs. Jordan questioned if we still have the template from the recent flyer on which Jodi French and Jennifer Borczyk had worked. She explained she felt the only thing that should be added to what they had been provided was a comment from the Supervisors.

Mr. Karpuzi commented that the Board had a basic outline for a good start, and the delay in getting the newsletter out to the residents was due to some competing priorities that have happened in the meantime. He asked for this to be added to agenda for next meeting.

Mrs. Jordan asked Mr. Robb if the Board would have to talk about this in person to vote on or if they could talk about this through Mr. Mator.

Mr. Robb stated that if the Board is going to collectively discuss than it needs to be a public meeting but if individually they could go through Mr. Mator.

Further Discussion was held.

DISCUSSION: WI-FI HOTSPOTS/CELL SERVICE IN THE TOWNSHIP

Mr. Karpuzi reiterated the reasons behind the discussion of the wi-fi hotspots and cellphone service in the Township.

Mr. Mator explained in detail the Township's research of different Federal/State programs from which the Township residents could benefit. He discussed this with Mr. Cohen from the Cohen Law Group, and Mr. Cohen provided his opinion and some valuable insight. Mr. Mator proposed that Mr. Cohen have meetings with telecommunication companies to request they expand their service, perform testing, and place wi-fi nodes. He explained that telecommunication companies may not be interested in expanding wi-fi nodes because there is a cost with not as much benefit to them, but cellular they may consider.

Mr. Karpuzi stated that Cohen Law Group would represent the Township for an estimated \$6,000 (\$250/hour), and would meet with the telecommunication companies to request expansion in the Township. He recommended that their legal services be approved.

The proposal was attached, and further discussion was held.

MOTIONED BY Supervisor Jordan and SECONDED BY Supervisor Forbes to accept the proposal submitted by the Cohen Law Group as presented. Motion carried unanimously 4-0.

APPOINTMENT: TOWNSHIP SUPERVISOR

Due to the unfortunate passing of Supervisor Shawn Maudhuit, the Board of Supervisors – as per the Township Charter – had to appoint a person to fill Mr. Maudhuit's unexpired term, which expires 31 December 2021.

A request for applicants was released to the public, and a Special Public Meeting was called on October 14th for the purpose of interviewing the ten residents who submitted letters of interest.

Mr. Karpuzi expressed that he was pleasantly surprised not only with the quantity of candidates, but was overwhelmed by the credentials of the applicants.

Mrs. Jordan thanked all the candidates and explained the interviewing process. She felt that one applicant stood out to her in the interview, and with her impressive resume would be a great asset to the community and the Board. Mrs. Jordan then nominated and recommended Dr. Jennifer Mann.

Dr. Mann thanked the Board and spoke of Mr. Maudhuit, stating she will try to live up to that legacy. She emphasized that she felt honored to be part of this organization and the community, and that she will work really hard to try and fill the shoes left behind by Mr. Maudhuit.

Mrs. Jordan added that she is looking forward to moving on with someone who has so much energy.

Further discussion was held.

In accordance with the Township Charter, MOTIONED BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to appoint Dr. Jennifer Mann a Township Supervisor to fill the unexpired term of Supervisor Shawn Maudhuit, which expires 31 December 2021. Motion carried unanimously 4-0.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to adjourn the meeting at 8:29 p.m. Motion carried unanimously 4-0. Meeting adjourned.

Daniel J. Mator Jr., Township Manager