

The West Deer Township Board of Supervisors held their Regular Meeting at the West Deer Township Municipal Building. Members present were: Beverly Jordan, Chairperson; Shirley Hollibaugh, Vice Chairperson; David Harrison; Vernon Frey; and James Smullin. Also present were: Daniel Mator, Township Manager; Joseph Shook, Assistant Township Manager; Gavin Robb, Township Solicitor; and Sandy Nelko of Shoup Engineering.

6:30 p.m. – PUBLIC HEARING– ORDINANCE 449 (WIRELESS COMMUNICATIONS FACILITIES)

Township Solicitor Gavin Robb opened the meeting.

Roll Call taken by Mr. Mator – Quorum present.

The purpose of this public hearing was for the Board to consider adoption of the following ordinance:

ORDINANCE NO. 449

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, PROVIDING FOR THE AMENDMENT OF THE WEST DEER ZONING ORDINANCE, AS CODIFIED IN PART II, CHAPTER 210, ARTICLE XVIII, § 210-78, ET SEQ., “WIRELESS COMMUNICATIONS FACILITIES” OF THE ZONING ORDINANCE; PROVIDING FOR PURPOSES AND FINDINGS OF FACT RELATED TO THE ADOPTION OF THE AMENDMENT; PROVIDING FOR DEFINITIONS; ESTABLISHING CERTAIN GENERAL AND SPECIFIC STANDARDS RELATING TO THE LOCATION, PLACEMENT, CONSTRUCTION AND MAINTENANCE OF TOWER-BASED WIRELESS COMMUNICATIONS FACILITIES, NON-TOWER WIRELESS COMMUNICATION FACILITIES, AND SMALL WIRELESS COMMUNICATION FACILITIES; PROVIDING FURTHER FOR THE REGULATION OF SUCH FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY AND OUTSIDE THE PUBLIC RIGHTS-OF-WAY; PROVIDING FOR THE ENFORCEMENT OF SAID REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Robb explained the ordinance in detail and outlined what was addressed for the Township.

PUBLIC COMMENTS

- none

ADJOURNMENT/PUBLIC HEARING

MOTIONED BY Supervisor Jordan and SECONDED BY Supervisor Frey to adjourn the public hearing at 6:33 p.m. Motion carried unanimously 5-0.

OPEN REGULAR BUSINESS MEETING

Chairperson Jordan opened the meeting and welcomed everyone to the meeting.

Pledge of Allegiance

Roll Call taken by Mr. Mator – Quorum present

COMMENTS FROM THE PUBLIC

Mr. Robb responded that at this time, only public comments are being accepted with any questions being answered after the PFM Financial Advisors presentation. He announced that agenda item 28 – discussion of the new Municipal building – had been moved to be discussed right after the PFM presentation.

Gerry Vaerewyck of Millerstown Road

- Mr. Vaerewyck introduced himself as a Township Auditor and commented on the Township’s plan to construct a new municipal building. He stated that the Township’s position that the new building would not raise taxes was not true. Mr. Vaerewyck advised that a \$10 million building over ten years would be more than \$1 million per year, or “20% of our current Budget.” He added that a thirty-year debt would cost two and a half times the cost in interest, and that “every resident in this Township would have to pay five to ten thousand dollars per year depending on how the financing is done.”

PRESENTATION: PFM FINANCIAL ADVISORS

Mr. Zach Williard and Mr. Garrett Moore of PFM Financial Advisors LLC

- Mr. Williard gave a financial overview presentation of the new Municipal building.
- Mr. Moore spoke on the lending term options and the difference between a bank loan and a municipal bond.

Mrs. Jordan asked if the Township could request the option of paying toward the principle with either lending option.

Mr. Williard responded the bank loan would be prepayable but the bond normally has a five year lock before prepayment is available.

More discussion was held.

DISCUSSION: NEW MUNICIPAL BUILDING

Mr. Mator used Power Point slides to explain – in detail – where the building project stood, and to debunk misinformation and false narratives that were being spread throughout social media regarding the project. He outlined the breakdown of interest cost for the new building – provided by PFM – to prove the relayed information was incorrect. He cited – as an example – that PFM had just presented a total cost of a twenty-year bond (the project plus interest) of \$11,268,550, and not the \$34 million number being floated on Facebook.

Mr. Mator reiterated that the property taxes would not need increased to cover the cost of the building, used slides to demonstrate why, and presented the Township’s plan to repay the loan/bond. He also stated that if the statement of a new building costing each resident \$5,000 to \$10,000 per resident was correct, the building would be \$65 million to \$130 million, so he cautioned against using exaggerated figures.

A great deal of dialogue with the Board, residents, and staff regarding the new Municipal building took place. Mr. Mator led what could be described as an open question-and-answer period with the residents to put their minds at ease.

ACCEPT MINUTES

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Hollibaugh to accept the minutes of the September 21, 2022 and September 22, 2022 regular business meeting as presented. Motion carried unanimously 5-0.

MONTHLY FINANCIAL REPORT

TOWNSHIP OF WEST DEER
FINANCE OFFICER'S REPORT
30 September 2022

I - GENERAL FUND:

	<u>September</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues	1,238,181.01	7,583,414.98	100.59%
Expenditures	962,235.43	6,029,362.22	66.87%

Cash and Cash Equivalents:

Sweep Account

1,098,475.14

1,098,475.14**II - SPECIAL REVENUE FUNDS****Cash and Cash Equivalents:****Street Light Fund:**

Restricted

85,208.72

Fire Tax Fund:

Restricted

49,908.45

State/Liquid Fuels Fund:

Restricted

195,470.90

330,588.07**Investments:****Operating Reserve Fund:**

Reserved

776,411.01

Capital Reserve Fund:

Reserved

963,039.69

1,739,450.70**III - CAPITAL PROJECT FUNDS:****Cash and Cash Equivalents:**

0.00

0.00**TOTAL CASH BALANCE 9/30/22****3,168,513.91****Interest Earned September 2022****395.15**

	<u>9/1/2022</u>	<u>September</u>	<u>9/30/2022</u>
	<u>Debt Balance</u>	<u>Principal</u>	<u>Debt Balance</u>
		<u>Payment</u>	
Mars National - VFC #3	\$78,372.54	\$2,607.94	\$75,976.39
NexTier Bank VFC #2	\$379,196.74	\$2,680.96	\$377,744.18

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

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

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Frey to approve the Finance Officer’s Report as submitted. Motion carried unanimously 5-0.

SEPTEMBER LIST OF BILLS

Air-Vac Inc.....	8622.00
Bearcom.....	817.47
Best Wholesale Tire Co. Inc.....	386.59
Jordan Tax Service, Inc.....	286.84
Kress Tire.....	1451.08
Northeast Paving.....	4959.20
Office Depot.....	439.94
Shoup Engineering Inc.....	1982.75
Stephenson Equipment LLC.....	293.07
Tucker/Arensberg Attorneys.....	4300.25

MOTION BY Supervisor Frey 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 5-0.

POLICE CHIEF’S REPORT

Chief Bob Loper was present and provided a summary report of Police Department activities for the month of September 2022. A copy of the report is on file at the Township Building.

Chief Loper expressed his gratitude towards the residents of the Township. He reported that the West Deer Township Festival generated \$1330.00 for the annual Christmas Program and \$1379.00 (\$855.00 in sales of K-9 T-shirts and \$524.00 in monetary donations) for the K-9 Fund. Chief Loper added there have been monetary donations since the festival and currently the collection amount is over \$2100.00 for the K-9 Fund.

PUBLIC WORKS FOREMAN’S REPORT

Mr. Kevin Olar provided a summary report on the Public Works Department for the month of September 2022. A copy of the report is on file at the Township Building.

ENGINEER’S REPORT

The Board received the Engineer’s Report submitted by Shoup Engineering, Inc.

Projects

- Municipal Building Project
 - Based on initial concept planning by HHSDR architects, preparation of a grading plan and storm sewer plan have been prepared. Work on the stormwater management plan has also been initiated.

Development/Subdivision Review -The following subdivision and land development plan projects had been reviewed, and review letters were issued to the Township as noted:

- Copper Creek Amendment No. 9 – Reviews of this subdivision plan on Copper Creek Trail were performed and review letters dated September 1, 2022 and September 6, 2022 were issued to the Township.
- Steel City Supply – A review of this land development on Saxonburg Boulevard was performed and a review letter dated September 19, 2022 was issued to the Township.

PLANNING & ZONING COMMUNITY DEVELOPMENT DIRECTOR REPORT

The Board received the Planning & Zoning Community Development Director Report for the month of September 2022. A copy of the report is on file at the Township Building.

PARKS & RECREATION BOARD REPORT

The Board received the Parks & Recreation Board Report for the month of September 2022. A copy of the report is on file at the Township Building.

Mrs. Stark brought up that residents were asking why the Parks and Recreation Board made the decision to cancel the second day of the Festival on Saturday instead of waiting till Sunday morning. She explained that the reason was so the Township could receive a \$6,000.00 credit towards the next event which would have been lost if the decision was made Sunday morning.

Mrs. Stark reported the Breast Cancer Walk donations totaled \$5,940.00 for Adagio Health. The winners of the 5K race were A.J. Balint and Lisa Wisniewski.

Mrs. Stark announced the Trunk or Treat event was canceled last minute. She stated East Union Church had a lack of volunteers and did not want to host the event. She added the final event will be the Breakfast with Santa located at Volunteer Fire Company # 1.

WEST DEER #1 VFC REPORT

The Board received the West Deer #1 VFC's Report for the month of September 2022. A copy of the report is on file at the Township Building.

WEST DEER #2 VFC REPORT

The Board did not receive a report from West Deer #2 VFC for the month of September 2022.

WEST DEER #3 VFC REPORT

The Board received the West Deer #3 VFC's Report for the month of September 2022. A copy of the report is on file at the Township Building.

Chief Wiegand reported meeting with the State Consultant in regard to the Fire Study. He asked the Board to consider releasing the \$9,000 in the Township Budget to the Fire Company.

Mrs. Jordan responded that the Board had decided to not give the budgeted funds to the Fire Companies until the Fire Study results were completed. She added the Board will discuss this during the upcoming Budget Meeting.

More discussion was held.

WEST DEER EMS REPORT

The Board received the West Deer EMS Report for the month of September 2022. A copy of the report is on file at the Township Building.

ACCEPTANCE: RESIGNATION OF ZACHARY RAYNOVICH

The Board was in receipt of a letter from Zachary Raynovich stating he had resigned from his position.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to accept the resignation of Public Works employee Zachary Raynovich and wish him the best. Motion carried unanimously 5-0.

ADOPTION: ORDINANCE NO. 449 (WIRELESS COMMUNICATIONS FACILITIES)

The Board held a Public Hearing earlier this evening at 6:30pm to discuss adopting the amendment of Ordinance No. 449 (Wireless Communications Facilities).

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Harrison to adopt Ordinance No. 449 amending the West Deer Zoning Ordinance regarding Wireless Communications Facilities. Motion carried unanimously 5-0.

ADOPTION: RESOLUTION NO. 2022-15 (EMERGENCY OPERATIONS PLAN)

RESOLUTION NO. 2022-15

A RESOLUTION OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING AN EMERGENCY OPERATIONS PLAN FOR THE TOWNSHIP.

Mr. Frey asked if this was already organized.

Mrs. Jordan replied in affirmative and added that when Chief Lape retired Sergeant Shurina took over. She reported that Sergeant Shurina had taken the classes and filled all requirements.

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor Frey to adopt Resolution No. 2022-15 approving the Emergency Operations Plan for the Township. Motion carried unanimously 5-0.

ADOPTION: RESOLUTION NO. 2022-16 (FEE SCHEDULE)

As is a standard practice, the Township Manager and department heads review fees charged by the Township through its fee schedule, and make recommendations for adjustments accordingly.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to adopt Resolution No. 2022-16 establishing the Township Fees for 2023. Motion carried unanimously 5-0.

ADOPTION: RESOLUTION NO. 2022-17 (PENNSYLVANIA OPIOID ABATEMENT TRUST)

RESOLUTION NO. 2022-17

A RESOLUTION OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO THE SETTLEMENT AGREEMENTS WITH MCKESSON CORPORATION, CARDINAL HEALTH INC., AMERISOURCEBERGEN CORPORATION, JOHNSON & JOHNSON, JANSSEN PHARMACEUTICALS, INC., ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC., AND JANSSEN PHARMACEUTICA, INC., AND TO AGREE TO THE TERMS OF THE PENNSYLVANIA OPIOID MISUSE AND ADDICTION ABATEMENT TRUST.

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Harrison to adopt Resolution No. 2022-17 authorizing the Township Manager to enter into the settlement agreements with McKesson Corporation, Cardinal Health, Inc., Amerisourcebergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. and to agree to the terms of the Pennsylvania Opioid misuse and Addiction Abatement Trust. Motion carried unanimously 5-0.

ADOPTION: RESOLUTION NO. 2022-18 (TOWNSHIP PENSION INVESTMENT POLICIES)

RESOLUTION NO. 2022-18

A RESOLUTION OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING STATEMENTS OF INVESTMENT POLICE FOR THE WEST DEER TOWNSHIP POLICE PENSION PLAN AND THE WEST DEER TOWNSHIP MUNICIPAL EMPLOYEES PENSION PLAN.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to adopt Resolution No. 2022-18 adopting statements of Investment Policy for the West Deer Township Police Pension Plan and the West Deer Township Municipal Employees Pension Plan. Motion carried unanimously 5-0.

AUTHORIZATION: ADVERTISEMENT ORDINANCE NO. 450 (ACT 57 TAX WAIVER)

ORDINANCE NO. 450

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, REQUIRING THE TOWNSHIP OF WEST DEER'S TAX COLLECTOR TO WAIVE ADDITIONAL CHARGES FOR REAL ESTATE TAXES WHEN A TAXPAYER FAILS TO RECEIVE TAX NOTICE AND REQUESTS A WAVIER OF ADDITIONAL CHARGES AND WHEN A PROPERTY OF MOBILE HOME TRANSFER HAS TAKEN PLACE WITHIN THE PREVIOUS TWELVE MONTHS, SUBJECT TO THE REQUIREMENTS OF ACT 57 OF 2022.

MOTIONED BY Supervisor Harrison and SECONDED BY Supervisor Smullin to advertise Ordinance No. 450 requiring the Tax Collector to waive additional charges to real estate taxes when a Taxpayer fails to receive tax notice and when a property or mobile home transfer has taken place within the previous twelve months. Motion carried unanimously 5-0.

AUTHORIZATION: COBRA ADMINISTRATIVE SERVICES AGREEMENT

The Board is in receipt of the Cobra Administrative Services Agreement.

Mr. Mator explained that anytime an employee resigns/fired -which happens so infrequently – it opens the Township up to a liability if the Cobra paperwork is filled out incorrectly. He reported that the Township’s current healthcare provider informed him that West Deer Township is the only municipality that does not use a third party service. Mr. Mator pointed out that the agreement has a small fee of 2% of the total Cobra cost.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to accept the Cobra Administrative Services Agreement, subject to the approval of the Township Solicitor and Township Manager as to the form of the agreement. Motion carried unanimously 5-0.

AUTHORIZATION: STEEL CITY SUPPLY LAND DEVELOPMENT PLAN

The Planning Commission recommended approval of the Steel City Supply Land Development Plan at their September 22, 2022 meeting.

Property Location: 2150 Saxonburg Boulevard
Zoning District: C-2 Highway Commercial
Request: Construction of single story building

The Planning Commission recommended approval of the Steel City Supply Land Development Plan subject to following conditions:

1. Fulfillment of any outstanding issues in Scott Shoup’s engineering letter dated September 19, 2022.
2. Furnish additional plantings along the southern buffer to fill the gap near the neighbor’s house. Plantings should consist of a tall planting and several low shrubs to create both high lever and low level screen.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Harrison to approve the Steel City Supply Land Development Plan as per the recommendation by the Planning Commission with the conditions being met. Member abstaining: Mr. Frey. Motion carried: 4-yes, 0-no, 1-abstention.

DISCUSSION: DRAFT ZONING ORDINANCE

Mr. Robb explained the Board has been continuing to review the lengthy Zoning Ordinance document. He requested the Board comments prior to the November meeting to potentially advertise the ordinance for a public hearing.

Mrs. Jordan asked if it was recommended to send questions/comments to Mr. Mator.

Mr. Robb and Mr. Mator were in agreement.

Mr. Smullin requested a list of the changes to the ordinance.

Mr. Robb responded that the document would be unrecognizable from the first document to this one. He explained that there were substantial revisions to every section and almost every chapter. Mr. Robb announced once the ordinance is ready to be advertised, it will be placed on the Township website for the Public to review and comment. He added the public would have a deadline of two months for any comments.

More discussion was held.

OLD BUSINESS

• Mrs. Jordan announced Shawn Maudhuit's Memorial Plaque was delivered to the Township. She added she will be reaching out to Mrs. Maudhuit to confirm a date for the memorial dedication.

Mr. Shook mentioned once a date has been confirmed, the Public Works Department will place the memorial plaque on the pavilion prior to the dedication.

NEW BUSINESS

• Mr. Jordan welcomed newly appointed Supervisor Mr. Harrison to the Board.

ADJOURNMENT

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Frey to adjourn at 9:00 p.m. Motion carried unanimously 5-0. Meeting adjourned.

Daniel J. Mator Jr., Township Manager