

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; Vernon Frey; David Harrison; and James Smullin. Also present were: Daniel Mator, Township Manager; Joseph Shook, Assistant Township Manager; Gavin Robb, Township Solicitor; and Scott Shoup, Township Engineer.

### **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**

Jim Shuey of Bryson Road

- Mr. Shuey asked if a location was chosen for the upcoming Leto gas well public hearing. Mrs. Jordan responded that the location had not been decided yet.

Rich Hollibaugh of Bakerstown-Culmerville Road

- Mr. Hollibaugh suggested that before financing the new municipal building, that the Board review the Budget for the financial needs of the Police, Fire Departments and EMS. Mrs. Jordan answered all has been addressed.

Dale Leight of Grubbs Road

- Mr. Leight asked for the Township's plan to clean up a trailer park near his property. Mr. Shook responded that the Township is handling the complaint, but Mr. Robb mentioned that with a pending action the Township cannot publicly comment.

### **ACCEPT MINUTES**

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to accept the minutes of the 21 December 2022 regular business meeting and 3 January 2023 reorganization meeting as presented. Motion carried unanimously 5-0.

### **MONTHLY FINANCIAL REPORT**

#### **TOWNSHIP OF WEST DEER** **FINANCE OFFICER'S REPORT** **31 December 2022**

#### **I - GENERAL FUND:**

	<b><u>December</u></b>	<b><u>YTD</u></b>	<b><u>% of Budget</u></b>
<b>Revenues</b>	377,941.67	8,758,349.53	93.42%
<b>Expenditures</b>	1,306,770.20	8,195,749.90	87.42%

<b>Cash and Cash Equivalents:</b>		
Sweep Account	23,215.58	
	<u>23,215.58</u>	<b>23,215.58</b>
<b>II - SPECIAL REVENUE FUNDS</b>		
<b>Cash and Cash Equivalents:</b>		
<b>Street Light Fund:</b>		
Restricted	68,638.82	
<b>Fire Tax Fund:</b>		
Restricted	40,155.11	
<b>State/Liquid Fuels Fund:</b>		
Restricted	158,516.38	
	<u>267,310.31</u>	<b>267,310.31</b>
<b>Investments:</b>		
<b>Operating Reserve Fund:</b>		
Reserved	1,800,056.09	
<b>Capital Reserve Fund:</b>		
Reserved	968,492.13	
	<u>2,768,548.22</u>	<b>2,768,548.22</b>
<b>III - CAPITAL PROJECT FUNDS:</b>		
<b>Cash and Cash Equivalents:</b>		
	<u>0.00</u>	<b>0.00</b>
<b>TOTAL CASH BALANCE 12/31/22</b>		<b><u>3,059,047.11</u></b>

Interest Earned December 2022 **2,550.82**

	12/1/2022 Debt Balance	December Principal Payment	12/31/2022 Debt Balance
<b>Mars National - VFC #3</b>	\$71,134.49	\$2,607.94	\$68,713.40
<b>NexTier Bank VFC #2</b>	\$374,771.87	\$2,680.96	\$373,305.06

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 Hollibaugh to approve the Finance Officer’s Report as submitted. Motion carried unanimously 5-0.

**DECEMBER LIST OF BILLS**

Bearcom.....	292.47
Culverts, Inc .....	3350.00
Hei-Way, LLC.....	487.72
Jordan Tax Service, Inc .....	739.25
Kress Tire .....	234.00
Office Depot.....	84.13

Shoup Engineering Inc .....	9054.75
Toshiba Financial Services.....	503.89
Tristani Brothers Inc.....	1106.82
Tucker/Arensberg Attorneys. ....	2898.75

MOTION BY Supervisor Frey and SECONDED BY Supervisor Smullin 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 December 2022. A copy of the report is on file at the Township Building.

**PUBLIC WORKS FOREMAN’S REPORT**

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

Mrs. Jordan reported speaking to Mr. Shook about the new Township road signs. She questioned if the signs would be placed by Friday. Mr. Shook agreed and presented the smaller version of the sign to the Board and public.

**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 HHS DR architects, preparation of a site plan, grading plan, utility plan, and storm sewer plan have been prepared. Work on the stormwater management plan, and erosion and sedimentation control plan has also been completed. An application for an NPDES Permit to the Allegheny County Conservation District will soon be filed.
- Bairdford Park
  - Plans, specifications, and bid documents have been prepared for an improved parking lot, new sports courts, and other features at Bairdford Park. Following review by the Pennsylvania DCNR, bids will be let for the project.

Development/Subdivision Review

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

- Kingston Plan (formally Unionville Plan)
  - Reviews of this 46-lot final subdivision plan on East Union Road were performed and review letters dated 13 December 2022, 3 January 2023, and 12 January 2023 were issued to the Township.
- Ridgewood Heights Plan
  - A review of this 18-lot preliminary and final subdivision plan was performed, and a review letter dated 15 December 2022 was issued to the Township.

**PLANNING AND ZONING COMMUNITY DEVELOPMENT DIRECTOR REPORT**

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

**WEST DEER #1 VFC REPORT**

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

**WEST DEER #2 VFC REPORT**

The Board received the West Deer #2 VFC's Report for the month of December 2022. A copy of the report is on file at the Township Building.

**WEST DEER #3 VFC REPORT**

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

Chief Wiegand reported emailing his report to the Board separate from the agenda that afternoon.

**WEST DEER EMS REPORT**

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

**2023 BOARD APPOINTMENTS**

As of 31 December 2022, there are vacancies on the Planning Commission, Zoning Hearing Board, and The Parks and Recreation Board. Some of the applicants attended the reorganization meeting on 3 January 2023 to meet the Board of Supervisors and to introduce themselves.

**DEER CREEK DRAINAGE BASIN AUTHORITY – TWO APPOINTMENTS**

In 2022, West Deer Township had four members and Indiana Township had five members serve on the Deer Creek Drainage Basin Authority.

In 2023, West Deer Township will have five members and Indiana Township will have four members serve on the Deer Creek Drainage Basin Authority.

One members' term expired on 31 December 2022: Ronald Plesh. Mr. Plesh requested reappointment.

The Board also received a letters of interest from William Baker, Daniel Loughlin, and Geno Stello.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Smullin to appoint Ronald Plesh and Geno Stello as members of the Deer Creek Drainage Basin Authority for a five-year term to expire 31 December 2027. Motion carried unanimously 5-0.

**PLANNING COMMISSION – TWO APPOINTMENTS**

Two members’ terms expired on 31 December 2022: Patrick Stark and Suzanne Garlena. Mr. Stark requested reappointment.

The Board did not receive any letters of interest.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to appoint Patrick Stark as a member of the Planning Commission for a four-year term to expire 31 December 2026. Motion carried unanimously 5-0.

**ZONING HEARING BOARD – ONE APPOINTMENT**

One members’ term expired on 31 December 2022: George Hollibaugh.

The Board also received a letter of interest from Daniel Smullin, who is currently an alternate is requesting to be appointed a full member. The Township did not receive any other letters of interest.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to appoint Daniel Smullin as a member of Zoning Hearing Board for a five year to expire on 31 December 2027. Motion carried 4-yes, 0-no, 1-abstain. Member abstaining Mr. Smullin.

**PARKS & RECREATION BOARD – ONE APPOINTMENT**

One members’ term expired on 31 December 2022: David Kinniburgh. Mr. Kinniburgh requested reappointment.

The Board did not receive any letters of interest.

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Frey to appoint David Kinniburgh as a member of The Parks & Recreation Board for a five-year term to expire 31 December 2027. Motion carried unanimously 5-0.

**ACCEPTANCE: RESIGNATION OF PART-TIME POLICE OFFICER**

The Board was in receipt of an email from Officer Alexander Cherevka stating he had resigned from his position.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to accept the resignation of Part-Timer Police Officer Alexander Cherevka and wish him the best of luck. Motion carried unanimously 5-0.

**ADOPTION: RESOLUTION NO. 2023-01 (APPOINTED AUDITOR FOR THE 2022 AUDIT**

RESOLUTION NO. 2023-01

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, APPOINTING THE CERTIFIED AND COMPETENT PUBLIC ACCOUNTANCY FIRM OF MARK C. TURNLEY, CPA TO REPLACE THE ELECTED AUDITORS IN MAKING THE EXAMINATION OF ALL OF THE ACCOUNTS OF THE TOWNSHIP FOR THE 2022 FISCAL YEAR.

Mr. Robb reported speaking to Mr. Mator prior to the meeting in regard to this resolution. He recommended the Board not take action due to the timing of the legal advertisement related to this appointment.

**AUTHORIZATION: ADVERTISEMENT OF ORDINANCE NO. 451 (BUILDING FINANCING)**

## ORDINANCE NO. 451

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE INCURRING OF NONELECTORAL DEBT BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OR NOTES (THE "OBLIGATIONS") IN AN AGGREGATE PRINCIPAL AMOUNT NOT-TO-EXTEND EIGHT MILLION DOLLARS (\$8,000,000); COVENANTING TO PAY, AND PLEDGING ALL AVAILABLE TAXING POWER OF THE LOCAL GOVERNMENT UNIT FOR THE PAYMENT OF , THE OBLIGATIONS PROVIDING FOR THE ESTABLISHMENT OF A SINKING FUND AND THE APPOINTMENT OF A SINKING FUND DEPOSITORY; FIXING THE FORM, MAXIMUM INTEREST RATES, MATURITY, REDEMPTION AND OTHER PROVISIONS FOR THE PAYMENT THEREOF; AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FOR THE PURCHASE OF THE OBLIGATIONS; AUTHORIZING A FILING OF REQUIRED DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; RATIFYING AND DIRECTING CERTAIN ACTIONS OF OFFICERS; AND MAKING CERTAIN OTHER COVENANTS AND PROVISIONS IN RESPECT OF THE OBLIGATIONS..

Mr. Frey asked if adopting this ordinance as worded would require the Township to borrow eight million dollars.

Mr. Robb clarified that the ordinance was not being adopted in this motion, but was simply for the advertisement. He answered Mr. Frey's question by summarizing the ordinance and asked Mr. Mator to confirm the Township's architect had an expectation that the Township would not need to borrow the full eight million due to the grant and reserve funds. Mr. Mator concurred.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to advertise Ordinance No. 451 as presented. Motion carried unanimously 5-0.

**AUTHORIZATION: ADVERTISEMENT OF OLYMPUS LETO HEARING**

The Township received an application for conditional use approval for Gas and Oil Production filed by the applicant, Olympus Energy, LLC, for the property located at 305 Oak Road. The applicant proposes to construct a well pad for operation of a deep well at the subject property.

Lot/Block#: 166-R-91  
Zoning District: I- Industrial

A deep well site may be authorized as a conditional use in the I Zoning District of the Township subject to the requirements of the Zoning Ordinance of West Deer Township, including Section 210-120 (A)(21).

MOTION BY Supervisor Frey and SECONDED BY Supervisor Smullin to set the public hearing for the Olympus Leto Gas Well for Wednesday, February 22<sup>nd</sup> at 6:00p.m. Motion carried 4-yes, 0-no, 1-abstain. Member abstaining: David Harrison.

Mr. Harrison mentioned he had a contract/lease with the mentioned gas/oil company, so would be abstaining from this motion and recusing himself from Leto proceedings.

**AUTHORIZATION: DEER CREEK RENTALS CONSOLIDATION PLAN**

The Planning Commission recommended approval of the Deer Creek Rentals Consolidation Plan at their 15 December 2022 meeting.

Properties Location: Deer Creek Road  
Zoning District: R-Rural Estate

The proposal is to eliminate a lot line between parcels 2384-G-109 and 2384-L-330, and to consolidate the two parcels into one. The two lots measure 2.00 and .97 acres, and are being consolidated into one parcel measuring 2.97 acres.

The Planning Commission recommended approval of the Deer Creek Rentals Consolidation Plan and no conditions were made.

Mr. Shoup stated this was a basic consolidation of two parcels on Deer Creek Road.

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Frey to approve the Deer Creek Rentals Consolidation Plan as per the recommendation by the Planning Commission without conditions. Motion carried unanimously 5-0.

**AUTHORIZATION: FINANCING OF 2023 CATERPILLAR 289D3 COMPACT TRACK LOADER**

The Board of Supervisors approved the purchase of a 2023 Caterpillar 289D3 Compact Track Loader at the 21 December 2022 Regular Business Meeting.

The following bids had been received:

<u>Lendor</u>	<u>Rate</u>
Laurel Capital Corp	4.75%
Huntington Bank	4.88%
Real Lease	6.219%
Cleveland Brothers	6.99%

Mr. Mator reported the Township also received a bid from Laurel Capital after the agenda was distributed and added the agenda was updated for the Board to review. He stated that their interest rate was 4.75% for the Caterpillar and 4.70% for the Police SUV in the next motion.

MOTION BY Supervisor Harrison and SECONDED BY Supervisor Smullin to authorize the financing of a new 2023 Caterpillar 2879D3 Compact Track Loader to Laurel Capital at a rate of 4.75% for seven years. Motion carried unanimously 5-0.

**AUTHORIZATION: FINANCING OF 2023 CHEVROLET TAHOE POLICE SUV**

The Board of Supervisors approved the purchase of a 2023 Chevrolet Tahoe Police SUV at the 21 December 2022 Regular Business Meeting.

The following bids had been received:

<u>Lendor</u>	<u>Rate</u>
Laurel Capital Corporation	4.70%
Huntington Bank	4.88%
Real Lease	6.219%

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Frey to authorize the financing of a new 2023 Chevrolet Tahoe Police SUV to Laurel Capital Corporation at a rate of 4.70% for five years. Motion carried unanimously 5-0.

**AUTHORIZATION: JEFFREY PLAN OF LOTS**

The Planning Commission recommended approval of the Jeffrey Plan of Lots Preliminary and Final Lot Line revision plan at their 15 December 2022 meeting.

Property Location: 2791 Russellton -Airport Road  
Zoning District: R-2 Semi-Suburban Residential

The proposal is a lot line revision between the Creighton-Russellton Road and Russellton-Airport Road Properties.

The Planning Commission recommended approval of the Jeffrey Plan of Lots subject to following conditions:

1. Address and satisfy all issues in the letter from the county letter dated 12 December 2022.

Mr. Shoop explained in detail this final lot line revision.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Smullin to approve the preliminary and final lot line revision plan of the Jeffrey Plan of Lots as per the recommendation by the Planning Commission with the conditions previously mentioned. Motion carried unanimously 5-0.

#### **AUTHORIZATION: KINGSTON PLAN OF LOTS**

The Planning Commission recommended approval of the Kingston Plan of Lots at their 15 December 2022 meeting.

Property Location: 292 East Union Road  
Zoning District: R-2 Semi-Suburban Residential

The proposal is to construct 46 single-family lot cluster development on 29.13 acres.

The Planning Commission recommended approval of the Kingston Plan of Lots subject to following conditions:

1. Consolidate Lot 46 and Lot 47.
2. Show easement for the sanitary lien on future drawings.
3. Provide alternate species for the fir and lilac plants on the landscaping plan.
4. Satisfy all comments in Scott Shoup's review letter dated 13 January 2023.

Mr. Shoup informed the Board that back in October 2022, the preliminary approval was approved. He added the plan had changed names from East Union Plan of Lots to Kingston Plan of Lots.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Smullin to approve the Kingston Plan of Lots as per the recommendation by the Planning Commission with the conditions previously mentioned. Motion carried unanimously 5-0.

#### **AWARD: ABESTOS ABATEMENT SURVEY**

The Township approved the demolition of 1130-1132 Eisenhower Drive and 17-19 School Street at their 17 August 2022 Public Hearing.

The properties need to have an asbestos abatement survey completed prior to their demolition.

The Township received a quote from Mid-Atlantic Environmental Consultants.

Mr. Frey asked if the Township would have to complete this survey prior to every demolition.

Mr. Smullin also asked if there are grants to pay for these surveys.



Mr. Mator responded yes to both supervisors. He added that there are grants, but the Township pays for this, then places a lien on the property so the Township is reimbursed when the property sells.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to award the asbestos abatement survey to Mid-Atlantic Environmental Consultants in the amount of \$2,600.00 as presented. Motion carried unanimously 5-0.

**AWARD: TREE REMOVAL**

The Township received the following bids to remove six trees on Pine Street.

<u>Contractor</u>	<u>Bid</u>
Lisowski Tree Service	\$2,400.00
Dices Tree Service	\$2,800.00
Drake’s Landscaping & Tree Service	\$3,395.00

Mr. Frey asked if the trees were on Township property.

Mr. Mator answered that they were located in the Township’s right-of-way.

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Harrison to award the bid to remove six trees on Pine Street to Lisowski Tree Service in the amount of \$2,400.00. Motion carried unanimously 5-0.

**OLD BUSINESS**

- Mrs. Jordan asked Mr. Mator to speak on the Fire Hydrants.

Mr. Mator reported receiving an email from one of the Fire Departments asking for clarification on the delay of receiving the new Fire Hydrants within the Township. He explained that the Board has been very clear and budgeted the amount for the ordering of the hydrants. Mr. Mator went into detail of the communication between Oakmont Water and himself.

Mrs. Jordan stressed that nothing is pending on the Township’s end, the Township is waiting for Oakmont Water to address.

- Mrs. Jordan reiterated – due to the earlier public comment – that the Township is still waiting on the Fire Study to be completed and asked Mr. Mator if he had spoken to Mr. Miller from the DCED.

Mr. Mator responded in the affirmative and added that Mr. Miller anticipated his report will be completed within the next week or so. He explained that Mr. Miller would forward his report to the Commonwealth and the final report should be returned to the Board by the beginning of March.

Mrs. Jordan added that – for clarification – the Board Members are not experts on fire so a Fire Study was requested to objectively assist the Board.

**NEW BUSINESS**

- None

**ADJOURNMENT**

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Frey to adjourn at 7:30 p.m. Motion carried unanimously 5-0. Meeting adjourned.

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Daniel J. Mator Jr., Township Manager