

The West Deer Township Board of Supervisors held their Regular Business 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.

6:30 p.m. – PUBLIC HEARING– MOVING FORWARD REALTY

Township Solicitor Gavin Robb opened the meeting.

Mr. Robb explained the applicant was unable to attend the hearing so it was being continued until next month. He announced that the hearing will be held prior to the Supervisor's July Regular Business Meeting at 6:30 p.m.

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

Mr. Robb announced that after the Supervisor's Special Meeting on 7 June 2023, the Board held quasi-judicial deliberations.

COMMENTS FROM THE PUBLIC

- Josh Wiegand of Squirrel Hollow Road
 - Mr. Wiegand asked the Board to consider reopening the Township Budget to address his fire department's need for more funding. He also brought up the proposed increased fire tax referendum item on the agenda being blank, and asked for clarification of the motion. Mr. Robb explained that the motion on the agenda was first for the advertisement of the Ordinance only, and that the Board would be discussing the millage rate to go into that blank during that portion of the meeting. He added that the actual first tax increase would be decided upon by the voters at a referendum later in the year if the Board approved the Ordinance sending it to the ballot.
 - Mr. Wiegand also spoke of his concern over the Leto Well Pad – if approved – and explained how the fire departments are not trained to handle an emergency situation if one ever arose at a gas well site.
- Victoria Austin of Hemlock Street Shuster Road
 - Ms. Austin expressed her concern of how close in proximity the Leto Gas Well Pad would be to residents if approved.
- Tracy Adamik, of Volunteer Fire Company #1
 - Mr. Adamik referred to Township Manager's email from June 19th, and requested a meeting with the Supervisors and the Fire Departments to discuss the fire tax in greater detail.

- Jack Rearick of Corbiwood Lane
 - Mr. Rearick asked how many dogs would be housed in the proposed dog kennel on Middle Road Extension. He also stressed that the fire departments are essential to the Township, and asked the Board to address their concerns. Mr. Rearick voiced his concern with the safety and welfare of the residents if the Leto Well Pad was approved.

- Aaron Skrbin of Volunteer Fire Company #3
 - Mr. Skrbin thanked the Board for considering the referendum to increase the fire tax. He asked for clarification of the fire tax referendum motion, regarding if the amount could be revised. Mr. Robb answered that the amount could be changed, but the Board would have to readvertise and then vote on the motion.

- Ron Zielinski of Bryson Road
 - Mr. Zielinski asked the Board to give the Leto Gas Well a lot of thought and consideration of the impact it could have on the community before making their decision.

- Dan McAtee of Volunteer Fire Company #1
 - Mr. McAtee expressed his appreciation to the Board for trying to help the fire departments. He voiced his concern that the referendum seemed to be getting pushed through quickly without more meetings to discuss the details. Mr. McAtee explained that he has worked at the past voting locations, and was concerned that the voters may not understand what they are voting on.

ACCEPT MINUTES

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to accept the minutes of the 11 April 2023 public hearing, 17 May 2023 regular business meeting, and the 7 June 2023 special business meeting as presented. Motion carried unanimously 5-0.

MONTHLY FINANCIAL REPORT

TOWNSHIP OF WEST DEER
FINANCE OFFICER'S REPORT
31 May 2023

I - GENERAL FUND:

	<u>May</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues	1,929,742.51	4,412,466.68	47.06%
Expenditures	479,597.05	2,480,593.92	26.46%
 Cash and Cash Equivalents:			
Sweep Account		2,192,321.33	
			2,192,321.33

II - SPECIAL REVENUE FUNDS

Cash and Cash Equivalents:

Street Light Fund:

Restricted 118,466.27

Fire Tax Fund:

Restricted 94,737.50

State/Liquid Fuels Fund:

Restricted 476,158.49

689,362.26

Investments:

Operating Reserve Fund:

Reserved 951,779.27

Capital Reserve Fund:

Reserved 987,673.65

1,939,452.92

III - CAPITAL PROJECT FUNDS:

Cash and Cash Equivalents:

0.00

0.00

TOTAL CASH BALANCE 5/31/23

2,628,815.18

Interest Earned May 2023

6,015.65

	5/1/2023 Debt Balance	May Principal Payment	5/31/2023 Debt Balance
Mars National - VFC #3	\$58,892.15	\$2,607.94	\$56,445.05
NexTier Bank VFC #2	\$367,211.15	\$2,680.96	\$365,270.28

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

MAY LIST OF BILLS

Amerikohl Aggregates Inc.....	2663.90
Amerikohl Transport Inc	1880.40
Bearcom.....	292.47
Culverts, Inc	3350.00
Hei-Way, LLC.....	963.55
Jordan Tax Service, Inc	1650.44
Kress Tire	813.56
Office Depot.	970.19
Shoup Engineering Inc.	27409.50
Stephenson Equipment, Inc.	269.18
Strategic Auto Works..	1340.15
Toshiba Financial Services.....	656.60
Tristani Brothers, Inc.....	1601.30
Tucker/Arensberg Attorneys..	10343.53

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 provided a summary report of Police Department activities for the month of May 2023. 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 May 2023. 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
 - Work continues on preparation of LEED certification documents. Preconstruction meetings with the contractors and Allegheny County Conservation District have been held.
- Bairdford Park
 - Plans, specifications, and bid documents have been prepared for an improved parking lot, new sports courts, and other features at Bairdford Park. The main project has been awarded to Youngblood Paving. Various other projects have been awarded to COSTARS vendors.
- Crest Street Bridge
 - Design of a replacement bridge for Crest Street is nearing construction. The project will soon be let for bids with award anticipated at the July Board meeting.
- 2023 Road Improvement Project
 - Shields Asphalt has completed the hot mix asphalt paving work. Double bituminous seal coat work is ongoing with Youngblood Paving.

Development/Subdivision Review

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

- Hyperion Midstream
 - A review of this land development plan and conditional use application located on Gibsonia Road was performed and a review letter dated 27 April 2023 and 25 May 2023 was sent to the Township.

MUNICIPAL SEPARATE STORM SEWER (MS4) ANNUAL REPORT

Mr. Shoup gave a report on the MS4 Permit that the Township has regarding the discharge of stormwater from Municipal storm sewers. He explained each of the six minimum control measures that are addressed in the permit and what the Township currently does to address each control measure. Mr. Shoup also gave a general summary as to why the Township has the permit.

PLANNING, ZONING, AND CODE ENFORCEMENT REPORT

The Board received the Planning, Zoning, and Code Enforcement Report. A copy of the report is on file at the Township Building.

PARKS AND RECREATION BOARD REPORT

The Board did not receive a report from the Parks and Recreation Board Report for the month of May 2023.

Mrs. Jordan mentioned that next month the Parks and Recreation Board will be hosting a Food Truck Event.

WEST DEER #1 VFC REPORT

The Board did not receive the West Deer #1 VFC's Report for the month of May 2023.

WEST DEER #2 VFC REPORT

The Board received the West Deer #2 VFC's Report for the month of May 2023. 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 May 2023. A copy of the report is on file at the Township Building.

WEST DEER EMS REPORT

The Board received the West Deer EMS Report for the month of May 2023. A copy of the report is on file at the Township Building.

APPROVAL/DENIAL: CONDITIONAL USE APPLICATION – OLYMPUS ENERGY, LLC LETO WELL PAD

Mr. Robb spoke on the public hearings that were held for the Board to hear the testimony of both parties. He requested that Mr. Shook or Mr. Mator post the Facts of Findings and Conclusion of Law on the Township website for the public to view.

Mr. Robb announced that Mr. Harrison reclused himself from all the Leto Well Pad proceedings.

MOTION BY Supervisor Frey and SECONDED BY Hollibaugh to approve the findings and decision of the Board of Supervisors approving the application for conditional use filed by Olympus Energy, LLC, for the Leto Well Pad. Motion carried 4-0.

APPROVAL/DENIAL: LAND DEVELOPMENT APPLICATION – OLYMPUS ENERGY, LLC LETO WELL PAD

Mr. Robb requested that the motion have the added compliance conditions from the June 15th letter that the Board received from Mr. Shoup.

Mr. Shoup stated that most conditions have been addressed, and spoke on the items left that needed to be in compliance.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to approve the land development application filed by Olympus Energy, LLC, for the Leto Well Pad, conditioned upon the satisfactory completion of the conditions expressed in the letter from Township Engineer Scott Shoup dated 15 June 2023. Motion carried 4-0.

APPROVAL/DENIAL: LAND DEVELOPMENT APPLICATION – BRICKYARD HOLDINGS CONCERT VENUE

Mr. Robb requested the conditions stated in Mr. Shoup’s recommendation letter be added to the motion.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Smullin to approve the land development application filed by Brickyard Park Holdings, LLC for the concert venue and associated parking conditioned upon the satisfactory completion of the conditions expressed in the letter from Township Engineer Scott Shoup dated 12 June 2023. Motion carried unanimously 5-0.

AUTHORIZATION: ADVERTISEMENT – CREST STREET BRIDGE PROJECT

The Board received the request for bids for the Crest Street Bridge Replacement Project.

Mr. Shoup explained the bridge replacement and added the bids will be opened a few days prior to the July’s Supervisor meeting.

Mr. Smullin asked if there was a plan for the traffic during this replacement. Mr. Shoup answered that during the replacement one side of the bridge will remain open so residents can access their homes.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to authorize the advertisement of the Crest Street Bridge Project. Motion carried unanimously 5-0.

AUTHORIZATION: ORDINANCE NO. 452 (CHARTER ELECTED AUDITOR AMENDMENT)

ORDINANCE NO. 452

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING PROPOSED LANGUAGE AMENDING SECTION C-1149 OF THE WEST DEER TOWNSHIP HOME RULE CHARTER BY PROVIDING FOR TOWNSHIP AUDITS BY A CERTIFIED PUBLIC ACCOUNTANT OR ACCOUNTING FIRM DULY LICENSED IN PENNSYLVANIA, AND RECOMMENDING SPECIFIC LANGUAGE REGARDING THE SAME TO BE PLACED ON THE NOVEMBER 2023 GENERAL ELECTION BALLOT AS A REFERENDUM QUESTION TO BE VOTED UPON BY THE ELECTORATE OF WEST DEER TOWNSHIP.

Mr. Frey asked if the Township already had a firm that handled this. Mr. Robb explained that the Township utilized a firm but there are also elected auditors. He asked Mr. Mator to elaborate.

Mr. Mator stressed the complexity of the Township audits, and explained in detail the past history of the elected auditors. He added that there have been issues almost every election because of the fact that the Township still used elected auditors, which he said was an antiquated practice due to the aforementioned complexity.

Mr. Harrison asked if this would eliminate the audit. Mr. Mator answered that it would not because an audit is still required under Township and Commonwealth law, and that this ordinance would eliminate the option for elected auditors only. He stated that the Township would only an appointed CPA Firm to handle the audits going forward if the voters approved this referendum.

More discussion was held.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to advertise Ordinance No. 452 amending Section C-1149 of the West Deer Township Home Rule Charter by providing for Township audits by a certified public accountant or accounting firm duly licensed in Pennsylvania, and recommending specific language regarding the same to be placed on the November 2023 General Election Ballot as a referendum question to be voted upon by the Electorate of West Deer Township. Motion carried unanimously 5-0.

AUTHORIZATION: ORDINANCE NO. 453 (CHARTER FIRE TAX AMENDMENT)

ORDINANCE NO. 453

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING PROPOSED LANGUAGE AMENDING SECTION C-1197 OF THE WEST DEER TOWNSHIP HOME RULE CHARTER BY AUTHORIZING THE LEVY OF A FIRE TAX IN AN AMOUNT NOT TO EXCEED __ MILLS, AND RECOMMENDING SPECIFIC LANGUAGE REGARDING THE SAME TO BE PLACED ON THE NOVEMBER 2023 GENERAL ELECTION BALLOT AS A REFERENDUM QUESTION TO BE VOTED UPON BY THE ELECTORATE OF WEST DEER TOWNSHIP.

Mr. Mator reported that there was a meeting held with the Fire Companies in June to discuss the Fire Study and any financial needs they may have. He added that at that meeting, the Fire Companies requested an increase of the Fire Tax Fund from their current \$75,000 to \$150,000.

Mr. Mator explained in great detail the referendum, Ordinance, and how everything would work. He stated that the Board of Supervisors and all three fire companies had received a memorandum from him touching on all concerns both parties had. As an example, Mr. Mator mentioned there had been questions about how items such as fire hydrants should be funded going forward, and that he recommended keeping them a General Fund budget item in the memorandum. He also advised the Board that the companies were in need of additional funding, and provided his rationale using the memorandum and facts projected for the public to see.

More discussion was held.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to advertise Ordinance No. 453 adopting proposed language amending section C-1197 of the West Deer Township Home Rule Charter by authorizing the Levy of a fire tax in an amount not to exceed one-half (.5) mills, and recommending specific language regarding the same to be placed on the November 2023 General Election Ballot as a referendum question to be voted upon by the electorate of West Deer Township. Motion carried unanimously 5-0.

AUTHORIZATION: ADVERTISEMENT (SALE OF PUBLIC WORKS TRUCK)

Public Works Foreman Kevin Olar requested the Board authorize the advertisement of the sale of the following Public Works truck:

2012 F550 5-Ton Dump Truck with Western Plow.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to authorize the advertisement for the sale of one 2012 F550 5-Ton Dump Truck in as-is condition. Motion carried unanimously 5-0.

AUTHORIZATION: NEW MUNICIPAL BUILDING INVOICE PAYMENT

The following invoices regarding the New Municipal Building Project have been received and need approval from the Board:

<u>Name</u>	<u>Purpose</u>	<u>Cost</u>
AVJSA	Sewage Capacity Fee	\$3,000
EAP Industries	Water Meters	\$1,759
Oakmont Water	Water Tap Fee	\$52,860.62
S&P Global	Bond Issue	\$18,500.00

MOTION BY Supervisor Harrison and SECONDED BY Supervisor Hollibaugh to pay the aforementioned invoices as presented. Motion carried unanimously 5-0.

OLD BUSINESS

- None

NEW BUSINESS

• Mrs. Jordan reported that Chief Loper and herself attended the Deer Lakes School District Board meetings for the continued discussion of the contract between the school district and the West Deer Police Department. She added that she was confident that the discussion was moving in the right direction.

ADJOURNMENT

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Frey to adjourn at 8:39 p.m. Motion carried unanimously 5-0. Meeting adjourned.

Daniel J. Mator Jr., Township Manager