

West Deer Township  
Board of Supervisors  
19 July 2023  
7:00pm

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.

### **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**

- Jack Rearick of Corbiwood Lane
  - Mr. Rearick referred to the PA Code of Conduct for supervisors and spoke on the duties of the Board. He voiced his concern with the safety and welfare of the residents with the upcoming gas and oil company requests.
- Erin Williams of Middle Road Extension
  - Ms. Williams voiced that she was not concerned with fracking entering the Township because gas is a resource that is needed. She instead stressed her concern over the abandoned mines under her home, and the possible danger of methane exposure or the mine collapsing.

### **ACCEPT MINUTES**

MOTION BY Supervisor Harrison and SECONDED BY Supervisor Smullin to accept the minutes of the 21 June 2023 regular business meeting as presented. Motion carried unanimously 5-0.

**MONTHLY FINANCIAL REPORT**

**TOWNSHIP OF WEST DEER**  
**FINANCE OFFICER'S REPORT**  
**30 June 2023**

**I - GENERAL FUND:**

	<b><u>June</u></b>	<b><u>YTD</u></b>	<b><u>% of Budget</u></b>
<b>Revenues</b>	610,713.00	5,023,179.68	53.58%
<b>Expenditures</b>	1,147,003.12	3,627,566.43	38.69%

**Cash and Cash Equivalents:**

Sweep Account

1,648,993.80

**5,276,560.23****II - SPECIAL REVENUE FUNDS****Cash and Cash Equivalents:****Street Light Fund:**

Restricted

110,215.26

**Fire Tax Fund:**

Restricted

72,331.86

**State/Liquid Fuels Fund:**

Restricted

227,810.05

**410,357.17****Investments:****Operating Reserve Fund:**

Reserved

951,787.09

**Capital Reserve Fund:**

Reserved

991,633.26

**1,943,420.35****III - CAPITAL PROJECT FUNDS:****Cash and Cash Equivalents:**

0.00

**0.00****TOTAL CASH BALANCE 6/30/23****7,630,337.75****Interest Earned June 2023****5,632.67**

	<b>6/1/2023</b>	<b>June</b>	<b>6/30/2023</b>
	<b>Debt Balance</b>	<b>Principal</b>	<b>Debt Balance</b>
		<b>Payment</b>	
<b>Mars National - VFC #3</b>	\$56,404.86	\$2,607.94	\$53,917.57
<b>NexTier Bank VFC #2</b>	\$365,677.41	\$2,680.96	\$365,176.16

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

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

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

**JUNE LIST OF BILLS**

Bearcom.....	292.47
Hei-Way, LLC.....	1593.90
Jordan Tax Service, Inc.....	757.61
Kress Tire.....	875.00
MRM Property& Liability Trust.....	133813.00
Office Depot.....	654.10
Shoup Engineering Inc.....	8711.45
Stephenson Equipment Inc.....	18766.20
Tristani Brothers, Inc.....	3708.52
Tucker/Arensberg Attorneys.....	500.00

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 June 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 June 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
  - Supervision of site construction work occurs as needed.
- 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 complete. Bids for the project will be opened on 17 July 2023, and will be presented to the Board of Supervisors for consideration.
- 2023 Road Improvement Project
  - Shields Asphalt has completed the hot mix asphalt paving work. Youngblood paving has also completed the double bituminous seal coat work.

### 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.

Mr. Smullin asked if there was a plan for the traffic during the Crest Street Bridge Project. Mr. Shoup answered there is a plan to have a meeting with the residents that reside on Crest Street to discuss, and he explained that the goal is to have one side of the bridge remain open so residents can access their homes.

Mrs. Jordan mentioned that she read in the Engineer's Report that the Bairdford Park paving would begin soon, and asked if that was still the plan. Mr. Shoup confirmed by stating the bulk of the paving should be completed in August.

Mrs. Jordan asked for an update on the paving of the Township roads. Mr. Shoup responded the hot mix and double sealcoat (tar and chip) work is complete, but that West Starz Road is still in progress due to gas company delays.

Mr. Smullin requested an update on a Michael Road stormwater complaint. Mr. Shoup reported that he found there had been no changes to existing storm drains, and that the only work completed were upgrades to existing pipes. He also informed the Board that he was still investigating the matter, and would be in contact with Mr. Thomas Piltoff, who was present at the meeting.

More discussion was held.

### **PLANNING, ZONING, AND CODE ENFORCEMENT REPORT**

The Board received the Planning, Zoning, and Code Enforcement Report for the month of June 2023. A copy of the report is on file at the Township Building.

### **PARKS AND RECREATION BOARD REPORT**

The Board received the Parks and Recreation report for the month of June 2023. 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 June 2023. 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 June 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 June 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 June 2023. A copy of the report is on file at the Township Building.

**ADOPTION: 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. Smullin requested that the referendum be explained in the Township Newsletter. Mr. Mator stated that the staff had already discussed doing so, and that it was planned.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to adopt 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.

**ADOPTION: 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 .5 MILLS, AND RECOMMENDING SPECIFIC LANGUAGE REGARDING THE SAME TO B PLACED ON THE NOVEMBER 2023 GENERAL ELECTION BALLOT AS A REFERENDUM QUESTION TO BE VOTED UPON BY THE ELECTORATE OF WEST DEER TOWNSHIP.

Mr. Smullin asked for this referendum to be explained in the Township Newsletter, as well, and Mr. Mator again clarified that the plan was to explain both referenda in detail so the residents fully understood them.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to adopt 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.

**ADOPTION: RESOLUTION NO. 2023-05 (FEE SCHEDULE)**

RESOLUTION NO. 2023-05 AMENDING THE FEES CHARGED BY THE TOWNSHIP AS PER THE SCHEDULE OF FEES.

The Board received a copy of the Resolution 2023-05.

Mr. Frey asked Mr. Mator and Mr. Shook to explain the difference between the old fee schedule and the one before the Board. Mr. Shook responded that the only fee affected was the Zoning Text and Zoning Map fees to cover the cost of researching and documentation preparation. He added that currently the cost is a flat fee of \$500 for each item and with this amendment they will be increased to \$750 each with an escrow of \$2,000.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to adopt Resolution No. 2023-05 amending the fees charged by the Township as per the attached schedule of fees. Motion carried unanimously 5-0.

**AUTHORIZATION: DCDBA DEVELOPER’S AGREEMENT**

The Township has requested and will need sewage service from the Deer Creek Drainage Basin Authority for the new Township Municipal Building – Lot and Block # 1511-L-71 - located at 133 East Union Road Cheswick, PA 15024.

The Board received the Developer’s Agreement.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Harrison to authorize the Township to enter into a Developer’s Agreement with the Deer Creek Drainage Basin Authority for the new Township Municipal Building – Lot and Block # 155-L-71 – located at 133 East Union Road, Cheswick, PA 15024 as presented, and to authorize the Township Manager to execute said agreement. Motion carried unanimously 5-0.

Mr. Robb announced that the Board wanted to add a motion to tonight’s agenda for the Moving Realty Animal Kennel.

**AUTHORIZATION: MOTION ADDED TO THE AGENDA**

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to add the motion to the agenda to approve/deny Moving Realty Animal Kennel. Motion carried unanimously 5-0.

**COMMENTS FROM THE PUBLIC**

Jack Rearik of Corbiwood Lane

- Mr. Rearik asked how many dogs would be housed at a time in the kennel. Mr. Robb replied that the applicant testified that during their peak season they anticipate up to 70 dogs.

**AUTHORIZATION: MOVING FORWARD REALTY ANIMAL KENNEL**

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to approve the Moving Realty Animal Kennel application. Motion carried unanimously 5-0.

**AWARD: DEMOLITION ASBESTOS ABATEMENT**

The Board approved the demolition of 17-19 School Street and 1130-1132 Eisenhower Drive at a public hearing on 17 August 2022. The following were received to remove the asbestos from the properties prior to demolition:

<u>Name</u>	<u>School Bid</u>	<u>Eisenhower Bid</u>
AWJ	\$13,853.00	\$2,605.00
DRI	\$28,890.00	\$7,459.50
Neumeyer	\$39,500.00	\$4,800.00

MOTION BY Supervisor Harrison and SECONDED BY Supervisor Frey to award the Demolition Asbestos Abatement of 17-19 School Street and 1130-1132 Eisenhower Drive to AWJ in the amount of \$16,458.00. Motion carried unanimously 5-0.

**AWARD: CREST STREET BRIDGE PROJECT**

The Board authorized the advertisement of the Crest Street Bridge Project at its June meeting.

The project was advertised, and bids were opened on Monday, July 17<sup>th</sup>. The bid results and a recommendation were distributed to the board prior to the meeting.

The following bids were received:

<u>Name</u>	<u>Bid</u>
Gary Metzinger Cement Contractors, Inc.	\$272,700.00
NorthRock Construction, Inc.	\$295,500.00
Carmen Paliotta Contracting, Inc.	\$312,500.00

Mr. Shoup recommended Gary Metzinger Cement Contractors, Inc. He reported that he worked with them in the past, and of being happy with their work.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Harrison to award the Crest Street Bridge Project to Gary Metzinger Cement Contractors, Inc. in the amount of \$272,700.00. Motion carried unanimously 5-0.

**AWARD: NEWSLETTER (ANNUAL)**

The Board authorized the Township’s annual Newsletter as part of the 2023 Budget.

Assistant Township Manager, Joseph Shook solicited bids, and the results were distributed to the Board prior to the meeting.

The following bids were received:

<u>Name</u>	<u>Bid</u>
RAFF Printing Co.	\$5,811.00
Print Tech	\$5,367.17
Alphagraphics	\$10,089.30

Mr. Shook explained the bids did not include shipping, which would add approx. \$1,400 to \$1,500 for postage. He thanked Mrs. French and Mrs. Bonovitz for researching and cleaning up the Township address list.

Mrs. Jordan asked how many pages the newsletter would be. Mr. Shook replied the bid options were for twelve, sixteen, or twenty pages, but that the administration recommended the twenty page newsletter due to the additions of the proposed changes to the Zoning Ordinance and other important items (such as the aforementioned referenda).

Mr. Harrison questioned how often the printed version of the newsletter was distributed. Mr. Shook responded a monthly electronic newsletter is published and placed in high traffic areas of the Township, but that once a year a larger newsletter is mailed to all residents.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to award the 2023 Newsletter publishing and mailing to Raff Printing Co. in the amount of \$5,811.00 plus postage. Motion carried unanimously 5-0.

**RATIFICATION: BROKER OF RECORD**

With the retirement of the former Township Insurance Broker of Record, George Mervosh of Mervosh Insurance, the Township needs to appoint a new Broker of Record.

As the Township already has a relationship – through Mervosh Insurance – with HUB International, and HUB has taken on the Broker responsibility on an emergency basis, the Township Manager recommended that the Township appoint HUB International as the Township Insurance Broker of Record.

Mr. Mator explained that with Mr. Mervosh’s retirement, there have been other insurance agencies requesting to purchase his book of business. He reported that after speaking to Mr. Robb, it was recommended to add this motion to appoint HUB as the Broker of Record so the Township would work with them directly without any possible distractions.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Harrison to ratify the appointment of HUB International as the Township Insurance Broker of Record. Motion carried unanimously 5-0.

**DISCUSSION: ZONING ORDINANCE**

Mr. Robb mentioned that this discussion began in 2020 and then summarized the revision timeline of the Zoning Ordinance. He added that the Board would hopefully authorize the advertisement at their September meeting. Mr. Robb explained that the Board is required to hold a public hearing within 60 days of the advertisement, and that if they stayed on that schedule, the ordinance could be adopted before the end of the year.

Mr. Frey asked how it would be handled if a resident requested a change. Mr. Robb replied that once the ordinance was sent to the County, no changes can be made. He therefore recommended – for an extra level of transparency – putting the Zoning Map on the Township website for residents to review. He explained that with properties being rezoned, it could possibly impact future uses for those properties.

Mr. Harrison asked if there was a reason for the minimum of three acres to open an Airbnb. Mr. Robb responded that the Planning Commission Board made that recommendation due to the possibility of it being detrimental to the neighboring properties.

More discussion was held.

**OLD BUSINESS**

- None

**NEW BUSINESS**

- None

**ADJOURNMENT**

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Frey to adjourn at 7:50 p.m. Motion carried unanimously 5-0. Meeting adjourned.

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Daniel J. Mator Jr., Township Manager