

West Deer Township  
Board of Supervisors  
16 August 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: 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**

Vice-Chairperson Hollibaugh opened the meeting and welcomed everyone to the meeting.

Pledge of Allegiance

Roll Call taken by Mr. Mator – Quorum present

### **COMMENTS FROM THE PUBLIC**

- Anthony Creaturo of Sandstone Court
  - Mr. Creaturo introduced himself as the new Fire Chief for VFC #2, stated his qualifications, and added that he looked forward to working with the Board to keep the residents of West Deer Township safe.
- Scott Woloszyk of Shuster Road
  - Mr. Woloszyk suggested placing a second public comment section at the end of the regular meeting agendas.
- Josh Wiegand of Squirrel Hollow Road
  - Mr. Wiegand asked if a budget discussion could be held during public comment or during VFC #3's monthly report. Mr. Mator answered that it was Mr. Wiegand's choice, but that if he spoke during public comment he would be limited to five minutes, and asked if he thought he needed more than five minutes to speak. Mr. Wiegand decided he would speak during his monthly report.

### **ACCEPT MINUTES**

MOTION BY Supervisor Frey and SECONDED BY Supervisor Smullin to accept the minutes of the 19 July 2023 regular business meeting as presented. Motion carried unanimously 4-0.

**MONTHLY FINANCIAL REPORT**

**TOWNSHIP OF WEST DEER**  
**FINANCE OFFICER'S REPORT**  
**31 July 2023**

**I - GENERAL FUND:**

	<b><u>July</u></b>	<b><u>YTD</u></b>	<b><u>% of Budget</u></b>
<b>Revenues</b>	373,958.72	5,397,138.40	57.57%
<b>Expenditures</b>	632,016.33	4,260,082.54	45.55%

**Cash and Cash Equivalents:**

Sweep Account

1,599,880.63**5,859,963.17****II - SPECIAL REVENUE FUNDS****Cash and Cash Equivalents:****Street Light Fund:**

Restricted

109,425.19

**Fire Tax Fund:**

Restricted

73,124.12

**State/Liquid Fuels Fund:**

Restricted

228,768.64**411,317.95****Investments:****Operating Reserve Fund:**

Reserved

953,586.62

**Capital Reserve Fund:**

Reserved

995,777.67**1,949,364.29****III - CAPITAL PROJECT FUNDS:****Cash and Cash Equivalents:****Capital Reserve Fund**

Reserved

7,154,620.40**7,154,620.40****TOTAL CASH BALANCE 7/31/23****15,375,265.81**

Interest Earned July 2023

**29,412.35**

	<b>7/1/2023</b>	<b>July</b>	<b>7/31/2023</b>
	<b>Debt Balance</b>	<b>Principal</b>	<b>Debt Balance</b>
		<b>Payment</b>	
<b>Mars National - VFC #3</b>	\$53,991.04	\$2,607.94	\$51,577.22
<b>NexTier Bank VFC #2</b>	\$364,176.16	\$2,680.96	\$362,632.62

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 4-0.

**JULY LIST OF BILLS**

Bearcom.....	292.47
Culverts, Inc. ....	3350.00
Hampton Concrete Products Inc.....	574.00
Jordan Tax Service, Inc. ....	311.71
Kress Tire. ....	1605.24
Office Depot. ....	641.88
Shoup Engineering Inc. ....	12823.00
Team Force Inc.....	4543.40
Tucker/Arensberg Attorneys.. ....	10060.48

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Harrison 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 Bob Loper provided a summary report of Police Department activities for the month of July 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 July 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. Youngblood Paving is anticipated to start work soon.
- Crest Street Bridge
  - Design of a replacement bridge for Crest Street is complete. Award of the project was made to Gary Metzinger Cement Contractor.
- 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. Work on the cold mix asphalt work by Youngblood Paving is scheduled for fall of this year.

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 review letters dated 27 April 2023 and 25 May 2023 was sent to the Township.
- Bon Tool Company Plan
  - Reviews of this lot line revision plan located on Gibsonia Road were performed and review letters dated 20 July 2023 and 2 August 2023 were sent to the Township.
- Graystone Estates Revision No. 1
  - A review of this two-lot located on Kaufman Road was performed and a review letter dated 17 July 2023 was sent to the Township.

Mr. Frey asked for an update on Crest Street Bridge Project. Mr. Shoup replied that he would speak on that later in the meeting.

Mr. Shoup reported that the Bairdford Park Project contractor was to start Monday.

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

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

Mr. Frey asked what SCBA stood for on the report.

Chief Wiegand answered SCBA is the acronym for Self-Contained Breathing Apparatus. He explained firefighters use them to breathe while fighting fires.

Mr. Frey stated that they must be expensive, and Chief Wiegand responded they should be replaced every fifteen years and have an individual cost of around \$7,000.

**WEST DEER #2 VFC REPORT**

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

Chief Wiegand shared VFC #3's financial report with the Board and reported that as of this past June, after paying their expenses – utility bills, fuel, truck payment and liability insurance – they had used 91% of their fire tax budget.

Mr. Frey questioned how VFC #3 used almost all their funds halfway through the year, while the other two fire companies have not. Chief Wiegand responded he had requested two additional bills be paid out of the fire tax budget – \$2,400 for Self-Contained Breathing Apparatus cylinders and two front tires for their pumper truck – and all other bills were about the same.

Mr. Mator brought up that VFC #1 and VFC #2 were not experiencing the same financial predicament as VFC #3, and asked the Chief to explain the discrepancy. Chief Wiegand said that their insurance premiums had increased and their building utility bills were slightly higher than last year. He also added that he was not able to compare VFC #3's expenses to the other two fire departments because he was unaware of the bills they chose to pay from the Fire Tax.

Mr. Mator stated VFC #3's old building had sold for \$675,000 earlier in the year and asked what happened to that funding source. Chief Wiegand replied that the funds were put towards the new building mortgage and renovations to their new building. Mr. Mator questioned why the extra funds were put toward the new building when VFC #3 knew they were so close to using up their fire tax budget. Chief Wiegand responded that they typically need more funding to get through the year.

Mr. Smullin questioned what the dollar amount VFC #3 was requesting from the Township. Chief Wiegand referenced the Board approving an additional \$9,000 to be given to each fire company from the Township funds two years ago, and stated this year he was looking for \$10,000 extra to cover their utilities and fuel.

Mr. Harrison asked that Chief Wiegand clarify his statement by asking if the past \$9,000 he referenced was not an annual contribution, but a one-time discussion. Chief Wiegand agreed with Mr. Harrison's clarification.

Mr. Mator reported that in a past Budget Workshop he recommended the Fire Companies send a formal letter stating the dollar amount requested and the reason for the request. He added the Board would need to see their financial reports – such as monthly and year-to-date profit/loss reports – to evaluate the request and make a decision. Mr. Mator explained that the Board is not able to make any decision without information substantiating such a request, and cited instances like emergencies.

More discussion was held, and Chief Wiegand stated he would get the Township a letter of request and financials.

### **WEST DEER EMS REPORT**

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

### **ACCEPTANCE: 2024 MINIMUM MUNICIPAL OBLIGATIONS (MMOs)**

The Board was in receipt of the 2024 Minimum Municipal Obligation Reports for the Police and Municipal Employee Pension Plans as submitted by the Township Actuary.

As per State Law, the Board simply has to acknowledge receipt of the reports.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to acknowledge receipt of the 2024 Minimum Municipal Obligations for the Police and Municipal Employee Pension Plans. Motion carried unanimously 4-0.

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

The board received a memorandum from Chief Loper stating Officer Ross Orlor has resigned from his position.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to accept the resignation of Part-Time Police Officer Ross Orlor and wish him the best of luck. Motion carried unanimously 4-0.

**ADOPTION: RESOLUTION NO. 2023-6 (KINGSTON PLAN SEWAGE PLANNING MODULE)**

RESOLUTION 2023-6 APPROVES THE PA DEP SEWAGE FACILITIES PLANNING MODULE FOR THE KINGSTON PLAN.

Mr. Shoup reviewed the PA Department of Environmental Protection Planning Module Documents and found the Planning Module to be in proper order. Mr. Shoup therefore recommended that it be approved by the Township by resolution.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Harrison to adopt Resolution No. 2023-6 approving the PA DEP Sewage Facilities Planning Module for the Kingston Plan Sewage Planning Module Plan. Motion carried unanimously 4-0.

**APPOINTMENT: ALTERNATE ZONING HEARING BOARD MEMBER**

The Board appointed alternate member Daniel Smullin as a full member when another member's term expired.

Mr. Smullin's then-vacated alternate term expires 31 December 2026, so there is a vacancy to be filled.

The Board received one Letter of Interest from Ryan Becker.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Harrison to appoint Ryan Becker as an alternate member of Zoning Hearing Board to fill the expired term of Daniel Smullin, which expires 31 December 2023. Motion carried 3-yes, 0-no, 1-abstain. Member abstaining: Mr. Smullin.

**AUTHORIZATION: ADVERTISEMENT (FINANCE OFFICER POSITION)**

Finance Officer Barbara Nardis submitted her formal notice of retirement effective 31 March 2024. The Township Manager requested approval to advertise the Finance Officer Position.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to approve the advertisement of the Finance Officer Position. Motion carried unanimously 4-0.

**AUTHORIZATION: ADVERTISEMENT (NATURAL GAS COMPRESSOR STATION HEARING)**

The Township received an application for conditional use approval files by the applicant, Hyperion Midstream, LLC, for property located on Oak Road. The applicant proposes to construct and operate a Natural Gas Compressor Station as the subject property.

Lot/Bock#: 1668-R-0091  
Zoning District: I-Industrial

A Natural Gas Compressor Station may be authorized as a conditional use in the Industrial Zoning District of the Township subject to the requirements of the Zoning Ordinance of West Deer Township including section 210-120(A)(21).

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to set the public hearing for the Leto Compressor Station for 26 September 2023 at 6:00p.m. at St. Victors Church (Our Lady of the Lakes Parish) located at 531 Bairdford Road. Motion carried 3-yes, 0-no, 1-abstain. Member abstaining: Mr. Harrison.

**AUTHORIZATION: BON TOOL LOT LINE REVISION**

The Planning Commission recommended approval of the Bon Tool Co. Plan Lot Line Revision at their 27 July 2023 meeting.

Property Location: 4430 Gibsonia Road  
Zoning District: SU-Special Use

The proposal is for a lot line revision and consolidation for the construction of warehouse expansion. Located at 4430 Gibsonia Road Gibsonia, PA. The two parcels being revised are 1357-G-32 and 1357-H-304.

The Planning Commission recommended approval of the Bon Tool Co. Plan Lot Line Revision subject to the following conditions:

1. Satisfactorily address all comments and concerns of Mr. Shoup’s comment letter dated 20 July 2023.

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Frey to approve the Bon Tool Lot Line Revision as per the recommendation by the Planning Commission with the condition previously mentioned. Motion carried unanimously 4-0.

**AUTHORIZATION: CHANGE ORDER (CREST STREET BRIDGE)**

Upon further review by the Township Engineer, it had been determined that – to ensure the ability of the public and emergency responders to access the homes at the end of Crest Street – it would be best if a temporary bridge be installed. Such an installation and use of a temporary bridge would require a change order.

Mr. Shoup reported meeting with the bridge contractor, and it became apparent that a temporary bridge would need to be placed. He added that a price was negotiated for it to be built, later dismantled, and removed once the project was complete.

Mr. Mator asked how long the project was to last. Mr. Shoup replied that with the temporary bridge installed next week, the project will be completed in six to eight weeks.

More discussion was held.

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Frey to authorize Change Order No. 1 for the Crest Street Bridge Replacement Project in the amount of \$25,100.00 per the recommendation of the Township Engineer. Motion carried unanimously 4-0.

**AUTHORIZATION: DEER LAKES SCHOOL DISTRICT MEMORANDUM OF UNDERSTANDING**

This item regarded the Memorandum of Understanding between the West Deer Police Department and the Deer Lakes School District from 17 August 2023 through 30 June 2024.

The School Board had it on their agenda for approval at their 15 August 2023 meeting.

The Memorandum was presented to the West Deer Township Board prior to the regular business meeting.

Chief Loper reported that the School Board passed the Memorandum the night prior to the meeting, and he was in favor of the agreement. He explained in detail what had been added to the agreement, and mentioned forwarding the document to Mr. Robb, Township Solicitor to be reviewed prior to bringing it to the Board for approval.

Mr. Harrison asked if this was a yearly agreement. Chief Loper replied this memorandum is yearly, but that the High School has a two year agreement for the School Resource Officer, who handles the school programs/activities, meets with the Superintendent and attends other necessary meetings. He added that next year both agreements would be up for renewal.

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Harrison to authorize the signing of the Memorandum of Understanding between the West Deer Township Police Department and the Deer Lakes School District as presented. Motion carried unanimously 4-0.

**AUTHORIZATION: GRAYSTONE ESTATES REVISION NO. 1 SUBDIVISION PLAN**

The Planning Commission recommended approval of the Graystone Estates Revision No. 1 Subdivision Plan at their 27 July 2023 meeting.

Property Location: 36 Kaufman Road Gibsonia, PA  
Zoning District: R-3 – Suburban Residential

Two-Lot Subdivision: Lot to measure 35,913 an acre minimum  
Total acreage 2.50

The Planning Commission recommended approval of the Graystone Estates Revision No. 1 Subdivision Plan subject to the following conditions:

1. Satisfy all comments in the Scott Shoup Engineering Letter Dated 17 July 2023.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to approve the preliminary and final subdivision of the Graystone Estates revision No. 1 Subdivision Plan as per the recommendation by the Planning Commission. Motion carried unanimously 4-0.

**AUTHORIZATION: HIRING OF PART-TIME POLICE OFFICER**

The Board received the attached memorandum from Chief Loper recommending the hiring of Aaron Fuesting for the position for Part-Time Police Officer.

Satisfactory background check was performed on the applicant.



Chief Loper stressed how fortunate the department was to have Officer Fuesting. He added he came highly recommended and with good qualifications.

Officer Fuesting outlined his work history and thanked the Board for the opportunity.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to hire Aaron Fuesting as a Part-Time Police Officer of West Deer Township. Motion carried unanimously 4-0.

**AWARD: 2023 GUIDERAIL PROGRAM**

The following quotes were received for the Guiderail Project to furnish and install guiderails on: Martin Road.

Three bids are quoted below:

Bidders	Total
1) Fence by Maintenance Service	\$17,964.00
2) Allegheny Fence	\$24,550.00
3) Green Acres Contracting	\$27,050.00

Mr. Shoup explained that this program would entail the replacement and resetting of the guiderail. He recommended Fence by Maintenance Service for the project due to his past experience working with them.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to award the Guiderail Program to Fence by Maintenance Service in the amount of \$17,964.00 for Martin Road. Motion carried unanimously 4-0.

**AWARD: SALE OF PUBLIC WORKS TRUCK**

The Township advertised for the sale of a 2012 Ford F550 Five-Ton Dump Truck with Western Plow. Color: Red, Mileage approx.. 73,756 – as-is condition.

Sealed bids were received and all were opened on Tuesday, 9 August 2023 at 1:30p.m.

The following five bids were received:

Bidders	Total
1) Chris Corrado	\$30,500.00
2) Maxwell Truck & Equipment, LLC	\$25,215.00
3) Daniel Loughlin	\$20,212.23
4) Hollibaugh landscape & Excavation	\$17,232.00
5) Mark Gaudino	\$ 6,103.00

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to award the sale of the 2012 Ford F550 Five-Ton Dump Truck to Chris Corrado, in the amount of \$30,500.00, as-is condition. Motion carried unanimously 4-0.

**DISCUSSION: ZONING ORDINANCE**

Mr. Robb reported that the Board had taken the past two months to look over the ordinance to make any changes they felt were necessary. He asked the Board if there were any change requests and recommended the Board send letters of request to Mr. Mator for any changes.

Mr. Harrison brought up that he would like to remove the acreage requirement on an Airbnb.

Mr. Frey seconded that request and asked what the reason behind the addition of the acre requirement. Mr. Robb replied that it was his understanding that the Planning Commission set that requirement for homes that were in housing plans due to the possibility of it being detrimental to the neighboring properties.

Mr. Shoup added that only R-2, R-3 and R-5 districts permitted an Airbnb.

Mr. Robb recommended deleting the lot size requirement due to the zoning districts that permitted an Airbnb.

Mr. Robb reiterated to the Board that if there were any further recommendations to send a letter of request to Mr. Mator.

**OLD BUSINESS**

- None

**NEW BUSINESS**

- None

**ADJOURNMENT**

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to adjourn at 8:08 p.m. Motion carried unanimously 4-0. Meeting adjourned.

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Daniel J. Mator Jr., Township Manager