

West Deer Township
Board of Supervisors
17 January 2024
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; Vernon Frey, Vice-Chairperson; John Hollibaugh; James Smullin; and Josh Wiegand. 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

Mr. Robb reported the Board held an executive session to discuss personnel items and received privileged legal advice.

Roll Call taken by Mr. Mator – Quorum present

COMMENTS FROM THE PUBLIC

Mr. Robb announced that there are two different public comment periods on the agenda. He explained that the first public comment period was for agenda items only, and the second comment period would be for matters of general Township concern that are not on the agenda.

- Scott Woloszyk of Shuster Road
 - Mr. Woloszyk thanked the Board for adding a second comment period, but stated that his point in requesting it was to be able to ask questions regarding items during the meeting. He then asked how to ask questions about items that have not been discussed, and Mr. Robb responded that questions could be asked during the public comment period at the end, and the Board would be able to address those if they feel it is appropriate.

ACCEPT MINUTES

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Frey to accept the regular business meeting minutes of the 20 December 2023, and the reorganization meeting of 2 January 2024 as presented. Motion carried unanimously 5-0.

MONTHLY FINANCIAL REPORT

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

I - GENERAL FUND:

	<u>December</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues	479,314.23	7,742,456.00	82.59%
Expenditures	1,103,559.04	9,096,464.15	97.03%

Cash and Cash Equivalents:

Sweep Account

668,415.71

668,415.71**II - SPECIAL REVENUE FUNDS****Cash and Cash Equivalents:****Street Light Fund:**

Restricted

81,470.73

Fire Tax Fund:

Restricted

32,563.82

State/Liquid Fuels Fund:

Restricted

184,992.55

299,027.10**Investments:****Operating Reserve Fund:**

Reserved

2,265,382.14

Capital Reserve Fund:

Reserved

940,165.86

3,205,548.00**III - CAPITAL PROJECT FUNDS:****Cash and Cash Equivalents:****Capital Reserve Fund**

Reserved

5,391,040.31

5,391,040.31**TOTAL CASH BALANCE 12/31/23****9,564,031.12**

Interest Earned December 2023

38,504.10

	12/1/2023 Debt Balance	December Principal Payment	12/31/2023 Debt Balance
Mars National - VFC #3	\$53,991.04	\$2,607.94	
NexTier Bank VFC #2	\$356,522.34	\$2,680.96	\$354,955.19

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

JANUARY LIST OF BILLS

Bearcom.....	292.47
Hei-Way, LLC.....	292.22
Jordan Tax Service, Inc.	870.22
Office Depot.	290.87
SEI Corporate Headquarters.....	1731.77
Shoup Engineering Inc.	1819.00
Tucker/Arensberg Attorneys..	3022.52

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 December 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 December 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. Steel framing of the building is ongoing.
- Bairdford Park
 - The main project has been awarded to Youngblood Paving. Various other projects have been awarded to COSTARS vendors. Work on the project by Youngblood Paving continues. The parking lot improvements have been substantially completed. Work on the sports courts area has also been substantially completed. Work on the handicapped ramp to the pavilion is on-going.

Development/Subdivision Review

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

- Heisler Plan
 - Reviews of this three lot subdivision plan proposed off of Quigley Road were performed, and review letters dated 7 December 2023 and 15 December 2023 were sent to the Township

PLANNING, ZONING, AND CODE ENFORCEMENT REPORT

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

Chief Wiegand reported he received word that VFC #3 received a \$200,000 GEDTF (Gaming Economic Development and Tourism Fund) grant for continued renovations to the fire station.

WEST DEER EMS REPORT

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

2024 BOARD/COMMISSION APPOINTMENTS

As of 31 December 2023, 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 2 January 2024 to meet the Board of Supervisors and to introduce themselves.

PLANNING COMMISSION – TWO APPOINTMENTS

One members' term expired on 31 December 2023: Alan Banks.

Mr. Banks requested reappointment.

MOTION BY Supervisor Wiegand and SECONDED BY Supervisor Frey to appoint Alan Banks as a member of the Planning Commission for a four-year term to expire 31 December 2027. Motion carried unanimously 5-0.

The Board received a letter from Mark Schmidt stating that he has resigned from the Planning Commission effective 31 December 2023.

Mr. Schmidt's term expires 31 December 2025, so there is a vacancy to fill his unexpired term.

The Board received two letters of interest from David Harrison and Will Hilinski.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Smullin to appoint David Harrison as a member of the Planning Commission to fill the unexpired term of Mark Schmidt expiring 31 December 2025. Members voting yes: Mr. Hollibaugh, Mrs. Jordan, Mr. Smullin and Mr. Frey. Members voting no: Mr. Wiegand. Motion carried (four “yes” and one “no”).

ZONING HEARING BOARD – TWO APPOINTMENTS

One members’ term expired on 31 December 2023: Sean Parkinson.

Mr. Parkinson requested reappointment.

MOTION BY Supervisor Wiegand and SECONDED BY Supervisor Frey to appoint Sean Parkinson as a member of Zoning Hearing Board for a five year to expire on 31 December 2028. Motion carried unanimously 5-0.

The Board received a letter from Joe Gizienski stating that he has resigned from the Zoning Hearing Board effective 31 December 2023.

Mr. Gizienski’s term expires 31 December 2024, so there is a vacancy to fill his unexpired term.

The Board received a letter of interest from H. Nelson Crooks Jr., who is currently an alternate requesting to be appointed a full member.

The Township did not receive any other letters of interest.

Mr. Shook thanked Mr. Gizienski for his years of service. He recommended Mr. Crooks for the position due to his many years of experience.

MOTION BY Supervisor Frey and SECONDED BY Supervisor Wiegand to appoint H. Nelson Crooks Jr. as a member of Zoning Hearing Board to fill the unexpired term of Joe Gizienski expiring 31 December 2024. Motion carried unanimously 5-0.

PARKS & RECREATION BOARD – TWO APPOINTMENTS

The Board received emails from Taite Hopwood and Dave Kinniburgh stating they have resigned from the Parks & Recreation Board effective June 2023.

The Board did not receive any letters of interest.

ACCEPTANCE: RESIGNATION – PART-TIME POLICE OFFICER DAMIAN BRAND

The Board received a letter of resignation from Officer Damian Brand effective 14 January 2024.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to accept the resignation of Part-Time Officer Damian Brand and wish him the best of luck. Motion carried unanimously 5-0.

ACCEPTANCE: RETIREMENT – SERGEANT DARREN MIKUS

The Board received a formal notice of retirement from Sergeant Darren Mikus effective 26 January 2024.

Mrs. Jordan thanked Sergeant Mikus for his service.

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor Frey to accept the retirement of Sergeant Darren Mikus and wish him the best of luck. Motion carried unanimously 5-0.

ACCEPTANCE: RETIREMENT – OFFICER EDWARD NEWMAN

The Township received a formal notice of retirement from Officer Edward Newman effective 26 January 2024.

Mrs. Jordan voiced her appreciation for everything that Officer Newman has done for the Township.

Mr. Wiegand thanked Officer Newman for his years of service and for being instrumental in starting the first K-9 program for West Deer Township.

Chief Loper expressed his gratitude to both Officer Newman and Sergeant Mikus. He pointed out that they both served the Township and its residents for approximately thirty years. Chief Loper reported that Officer Newman started the first K-9 Program and Sergeant Mikus was one of the first members on the North Hills SRT as well as leading an investigating unit which really helped with many issues within the Township.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Hollibaugh to accept the retirement of Officer Edward Newman and wish him the best of luck. Motion carried unanimously 5-0.

ADOPTION: ORDINANCE NO. 454 (ZONING ORDINANCE & ZONING MAP)

ORDINANCE NO. 454

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, TO AMEND THE ZONING ORDINANCE AND THE ZONING MAP.

Mr. Robb announced that the Zoning Ordinance and Zoning Map would not be voted on. He explained in detail that the ordinance had some errors that were made during the drafting process and the Board was also considering some potential changes. Mr. Robb reported that another public hearing would be scheduled at a later date.

More discussion was held.

ADOPTION: ORDINANCE NO. 456 (ADOPTION OF COPPER CREEK TRAIL ROAD)

ORDINANCE NO. 456

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE FOLLOWING STREET IN THE COPPER CREEK PLAN: COPPER CREEK TRAIL; AND AMENDING ORDINANCE NO. 427 TO INCLUDE THE SAME.

Mr. Wiegand asked if it was typical to accept the road before the plan was completed.

Mr. Shoup reported the plan is essentially complete by noting the developer has installed the wearing course. He explained to Mr. Wiegand that the Township prohibits the placing of the wearing course until 90% of the homes are built.

Mr. Robb added as a condition of the acceptance, the roads are inspected and bonded with a maintenance bond prior to any road adoption requests.

More discussion was held.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to adopt the Ordinance No. 456 adopting Copper Creek Trail and amending Ordinance No. 427 to include the same. Motion carried unanimously 5-0.

APPROVAL: HIRING OF PART-TIME OFFICER(S)

The Board received a memorandum from Chief Loper recommending the hiring of Michael Seefeld and Kevin Vresh for the positions of Part-Time Police Officer.

Satisfactory background checks were performed on the applicants.

Officer Seefeld and Officer Vresh were present and introduced themselves, and Mrs. Jordan welcomed the Officers.

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Frey to approve the hiring of Michael Seefeld and Kevin Vresh as Part-Time Police Officers of West Deer Township. Motion carried unanimously 5-0.

APPROVAL: MUNICIPAL POLICE COOPERATIVE AGREEMENT

The Board received the attached draft agreement from Sergeant Rob Petosky regarding the DUI Task Force.

Mr. Wiegand questioned if West Deer still managed and oversaw the DUI Task Force.

Chief Loper responded that Sergeant Petosky was the coordinator of the program.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Hollibaugh to approve the Municipal Police Cooperative Agreement as presented, and to authorize its execution by the Chairperson of the Board of Supervisors, the Township Manager, and the Chief of Police. Motion carried unanimously 5-0.

APPROVAL: PROMOTION OF TWO PART-TIME POLICE OFFICERS TO FULL-TIME OFFICERS

The process for promoting two current police officers from part-time to full-time status has been completed.

The Board received a memorandum from Chief Loper recommending the promotion of Officers Aaron Fuesting and Colin Kadlick to the position of Full-Time Police Officers.

Officer Fuesting and Officer Kadlick were present and reintroduced themselves.

Mr. Wiegand asked if the Police Department would be up to full staff if the two were hired.

Chief Loper answered for his department to operate he was in need of twenty officers – sixteen full-time and usually four part-time – so they would have the necessary full-time contingent, but would still need a couple more part-time officers.

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Frey to approve the promotion of current Part-Time Police Officers Aaron Fuesting and Colin Kadlick to the position of Full-Time Police Officers effective January 26, 2024. Motion carried unanimously 5-0.

APPROVAL: TOWNSHIP MANAGER EMPLOYMENT AGREEMENT (REVISED)

As per the direction of the Board, a revised Employment Agreement with current Township Manager Daniel Mator was drafted.

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Frey to approve the revised Employment Agreement with Township Manager Daniel Mator as presented – effective immediately – and to authorize its execution by the Chairperson of the Board of Supervisors. Members voting yes: Mr. Hollibaugh, Mrs. Jordan, Mr. Smullin and Mr. Frey. Members voting no: Mr. Wiegand. Motion carried (four “yes” and one “no”).

DISCUSSION: FIRE TAX DISBURSEMENT PROTOCOL RESOLUTION

Mr. Mator outlined the Fire Tax disbursement regulations which culminated from a joint meeting between the fire companies and two supervisors for the fire companies and the public. He added that he received an email from one of the presidents with some suggestions and asked if there were any additional thoughts regarding the draft.

Mrs. Jordan stated that there was ongoing dialogue between the fire departments and the Township.

Mr. Wiegand asked who drafted the policy. Mr. Mator responded that he took the notes from the last public safety meeting and passed it on to the Solicitor for it to be drafted.

Mr. Wiegand voiced that he felt there was a mixing of different sources of revenue into this policy – such as volunteer relief funding – and that he felt that such funding should not have to be reported to the Board. He also added that he felt the draft policy was turning into a contract with the fire departments.

Mr. Mator replied that everything that was in the draft policy came from the joint meeting, and that all the items were agreed upon by those in attendance at that meeting. As an example he used the language regarding the volunteer relief funding to show how the group agreed to have it reported, but at an annual interval instead of the original language which would require monthly reports.

Mrs. Jordan repeated that the draft policy contained everything that was discussed, and she asked Mr. Frey, who was also present at that meeting, for his thoughts. Mr. Frey concurred that the terms outlined in the draft policy mirrored those discussed at the meeting.

More discussion was held.

DISCUSSION: PURCHASE OF FINANCIAL SOFTWARE

Mr. Mator recommended that with the hiring of Tracy Starr the financial software program for the Township be upgraded. After receiving a number of proposals and taking part in demonstrations, he requested an approval to purchase a new program with the budget capped at \$10,000.

More discussion was held.

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Frey to approve at the cost not to exceed \$10,000 and upon approval of the form by the Township Manager and Township Solicitor. Motion carried unanimously 5-0.

NEW BUSINESS FOR FUTURE DISCUSSION/ACTION

- Mr. Wiegand asked when the supervisors would select Board committees. Mrs. Jordan replied that there is currently only one committee – the Public Safety Committee – and that she and Mr. Frey have served as the active members.

Mr. Wiegand questioned if there could be three supervisors on the Committee, and Mrs. Jordan responded that three or more would not be permitted, as three would constitute a quorum.

Mr. Wiegand recommended himself to serve on the committee on the basis of his thirty years of public safety experience, and said it would be a conflict if three supervisors were on the Committee.

Mrs. Jordan stated that it would not be a conflict because it could not happen due to the quorum matter. Mr. Wiegand responded that the meeting could be advertised publicly, but Mrs. Jordan replied that the meetings are held privately – like the recent Safety Committee meeting – and that the current members have been set.

Mr. Wiegand asked when the Committee was set, and Mrs. Jordan and Mr. Frey both responded they never resigned from the committee.

Mr. Robb advised that the Chair appoints the committees, so it is ultimately the Chair's decision who sits on the committees. He added that it is not a majority vote and asked Mrs. Jordan her decision. Mrs. Jordan responded there would be less conflict of interest with Mr. Frey and herself being on the committee. She asked Mr. Frey if he wanted to stay on the committee and he agreed.

Mr. Wiegand again stated that he felt he should be appointed to the Committee given his experience, and said a lot of public safety matters would be coming up where his experience would be valuable. He said either that, or the meetings should be held publicly so he could be part of the deliberations.

Mrs. Jordan responded that there has been a lot of public discussion regarding the appearance of a conflict of interest with Mr. Wiegand serving in such a role, and that she is trying to appease the public by not having him serve in that capacity. She said everyone knows that exists, and that she is addressing it by not having him serve on the Committee.

Mr. Wiegand said that the past discussions have revolved around funding, but that there are other public safety issues in the Township moving forward that he would like to address. He said deliberations outside the public meetings are not allowed, so he is limited. Mrs. Jordan responded by inviting Mr. Wiegand to call her anytime regarding such matters. Mr. Wiegand agreed.

- Mr. Wiegand requested the Public Safety Committee meeting be held as a public forum so he could attend as the Chief of Fire Department #3. The Board then discussed various options of holding the meeting the same day as the regular business meeting.

ANNOUNCEMENTS

- None

PUBLIC COMMENT (NON-AGENDA MATTERS OF GENERAL TOWNSHIP CONCERN)

- Rich Hollibaugh of Bakerstown Culmerville Road
 - Mr. Hollibaugh suggested after the Board makes a motion – but before an item is voted on – that the Board take questions from the public. He also brought up initiating a town hall meeting where residents could ask questions. Mrs. Jordan responded that the Township had scheduled town hall meetings in the past, but that they were not well-attended.
- Jack Rearick of Corbriwood Road
 - Mr. Rearick questioned how the executive sessions work with the Pennsylvania Sunshine Laws. Mr. Robb answered there were certain exceptions where the Board can meet to discuss different categories.

Mr. Rearick then asked how the Board approved agenda items without asking any questions. Mrs. Jordan responded by explaining that the Board receives the agenda/reports the Friday before the meeting so any questions can be asked prior to the meeting.

Additional discussion was held between Mr. Rearick and the Board.

- Tracy Adamik of West Deer Fire Department #1
 - Mr. Adamik, President of VFC #1, thanked the Board for working through the Fire Tax policies and holding off on their adoption until some additional details are worked out. He requested that – for the sake of efficiency and the convenience of the participants – the meetings between the fire companies and the Township continue as they have, and not as an additional public meeting. Mr. Adamik said he felt the policy was close to being completed, and that creating additional public meetings with additional meeting advertising costs was not necessary.

Mr. Anthony Creaturo, Chief of VFC #2, concurred and spoke in support of Mr. Adamik’s position.

Mrs. Jordan announced that the meeting will stay scheduled as intended with Mr. Frey and herself meeting with the fire departments, and asked Mr. Mator to arrange another meeting between the groups.

ADJOURNMENT

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to adjourn at 8:23p.m. Motion carried unanimously 5-0. Meeting adjourned.

Daniel J. Mator Jr., Township Manager