

West Deer Township
Board of Supervisors
21 February 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 matters of litigation and real property.

Roll Call taken by Mr. Mator – Quorum present

PRESENTATION: ALLEGHENY COUNTY CONSERVATION DISTRICT

Ms. Haley Hoch, Mr. Matt Gordon, and Ms. Amy Miller of the Allegheny County Conservation District (ACCD)

- Ms. Hoch gave an overview presentation of the different programs within the ACCD.
- Mr. Gordon spoke on a contract between the Township and the State to run the Chapters 102 and 105 program.
- Ms. Miller presented a Watershed Program grant opportunity to improve the water resources for Deer Creek. She requested a letter of support from the Board stating the Township was willing to participate in a Steering Committee for the program.

After much discussion between the Board, Solicitor and ACCD, it was decided the Board would think it over and discuss with Mr. Mator to see how feasible it was before making a decision to add to their March agenda.

COMMENTS FROM THE PUBLIC ON AGENDA RELATED ITEMS

- Victoria Austin of Hemlock Street
 - Ms. Austin asked for a timeline of completion for the Zoning Ordinance. Mr. Robb responded that the ordinance is still being worked on internally so ideally the Board could receive a draft in their March meeting, then it would go to the Planning Commission and return to the County Planning. Mrs. Austin questioned if the Gas and Oil Lease Agreement Ordinance on the agenda was an advertisement for the Board to hold a public hearing. Mr. Robb explained that per the Township Charter, all gas and oil lease agreements required an adopted ordinance without the need for a public hearing.
- Tracy Adamik of West Deer Fire Co. #1
 - Mr. Adamik voiced not being satisfied with some of the Fire Tax Policy terms. He also requested clarification of the fire tax expenditures and asked where their excess funds were to go at the end of the year. Mrs. Jordan responded that this will be discussed during the Fire Tax Policy motion.

ACCEPT MINUTES

Mr. Wiegand requested that the January minutes be changed to add the discussion about the Public Safety Committee.

Mr. Mator requested that he be contacted before meetings anytime there is a suggested change to items like minutes so they could be properly reviewed and edited if necessary. He expressed that it is not possible to make such changes at meetings without Mrs. French listening to the recording first.

The Board decided to include the Public Safety Committee discussion in the January minutes and to place them on the agenda next month for approval.

MONTHLY FINANCIAL REPORT

TOWNSHIP OF WEST DEER
FINANCE OFFICER'S REPORT
31 January 2024

I - GENERAL FUND:

	<u>January</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues	1,443,666.45	1,443,666.45	13.38%
Expenditures	996,031.24	966,031.24	8.95%

Cash and Cash Equivalents:

Sweep Account		<u>746,337.06</u>	
			<u>746,337.06</u>

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

Restricted		75,608.25	
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Fire Tax Fund:

Restricted		20,813.30	
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State/Liquid Fuels Fund:

Restricted		<u>802.82</u>	
			<u>97,224.37</u>

Investments:**Operating Reserve Fund:**

Reserved		1,049,118.77	
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Capital Reserve Fund:

Reserved		<u>944,266.82</u>	
			<u>1,993,385.59</u>

III - CAPITAL PROJECT FUNDS:**Cash and Cash Equivalents:****Capital Reserve Fund**

Reserved		<u>4,578,300.37</u>	
			<u>4,578,300.37</u>

TOTAL CASH BALANCE 1/31/24**7,415,247.39**

Interest Earned January 2024	32,590.34		
	1/1/2024 Debt Balance	January Principal Payment	1/31/2024 Debt Balance
Mars National - VFC #3	\$39,014.52	\$2,607.94	36,474.68
NexTier Bank VFC #2	\$354,955.19	\$2,680.96	\$353,419.46

Restricted – Money which is restricted by legal or contractual requirements.
 Reserved – Money which is earmarked for a specific future use.

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

FEBRUARY LIST OF BILLS

Amerikohl Aggregates Inc.....	6062.22
Amerikohl Transport Inc	4947.62
Bearcom.....	292.47
Hei-Way, LLC.....	687.15
Jordan Tax Service, Inc.	4437.90
MRM Trust Workers Comp Fund	24305.05
Office Depot.	465.46
SEI Corporate Headquarters.....	802.08
Shoup Engineering Inc.	1677.50
Tristani Brothers Inc.....	1448.87
Tucker/Arensberg Attorneys..	7849.78

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 January 2024. A copy of the report is on file at the Township Building.

Mr. Wiegand requested an explanation for the January 31st meeting reported between the Police and West Deer VFC #1. Chief Loper explained that the meeting covered multiple topics such as social media posts, the fire tax, and the fire hall.

PUBLIC WORKS FOREMAN’S REPORT

Mr. Frederick Reekie provided a summary report on the Public Works Department for the month of January 2024. 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 has also been substantially completed. Work on the handicapped ramp to the pavilion has been completed. Jeffrey and Associates recently installed benches at the sports courts. Shrock Fencing is scheduled soon to install fencing at the sports courts.

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 January 2024. A copy of the report is on file at the Township Building.

PARKS & RECREATION BOARD REPORT

The Board received the Parks & Recreation Board report for the month of January 2024. A copy of the report is on file at the Township Building.

Mrs. Jordan announced the Egg Hunt Event would be held at Bairdford Park on March 24th and mentioned signs had been placed around the Township, if anyone was interested in attending.

WEST DEER #1 VFC REPORT

The Board received the West Deer #1 VFC's Report for the month of January 2024. 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 January 2024. 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 January 2024. 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 January 2024. A copy of the report is on file at the Township Building.

ADOPTION: RESOLUTION NO. 2024-1 (ALEXANDRUNAS SEWER PLANNING MODULE)

RESOLUTION NO. 2024-1 APPROVES THE PA DEP SEWAGE FACILITIES PLANNING MODULE FOR THE ALEXANDRUNAS 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.

The Board received a copy of the Resolution No. 2024-1.

Mr. Shoup explained this was relative to a subdivision of Sandy Hill Road that the Board approved a couple of months ago.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to adopt Resolution No. 2024-1 approving the PA DEP Sewage Facilities Planning Module for the Alexandrunas Plan. Motion carried unanimously 5-0.

ADOPTION: RESOLUTION NO. 2024-2 (FIRE TAX DISBURSEMENT POLICY)

RESOLUTION NO. 2024-2 ADOPTING A POLICY FOR DISTRIBUTION OF FIRE TAX FUNDS.

The Board received a copy of the Resolution No. 2024-2.

Mr. Wiegand voiced that he thought the first paragraph of the resolution was misleading because the funds are not distributed to the Township, and stated that the policy was being made into something that it is not.

Mr. Smullin asked if 99% of this policy seemed agreed upon and if the wording needed cleaned up a bit. Mr. Mator responded there was a previous meeting with all three fire companies to discuss the policy, and that he sent out a draft policy via email to all three companies about two weeks prior. He added that the draft policy incorporated what was discussed, and requested comments. He reported that he received only one response which stated the policy was fine.

Mr. Wiegand brought up an issue with the Volunteer Relief Associations Funds report, stating that it was a completely separate association from the fire companies themselves, and that the only purpose for that association was to receive state funds that have limited use.

Mr. Robb mentioned being told at the joint meeting that it is literally a matter of hitting print on a report and it was easy to generate. He added that only one of the companies did not agree with the production of the VRA report while the other two did agree.

Mr. Robb reported the committee felt that the report was important. Mr. Wiegand responded that the funds that go into the association come through the Township, so the Township is aware of the what the funds are.

Mr. Hollibaugh voiced that he felt this was simply being transparent and that the report helps clarifies everything for the public.

Mr. Smullin and Mr. Frey agreed with Mr. Hollibaugh.

More discussion was held.

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Frey to adopt Resolution No. 2024-2 adopting a policy for distribution of fire tax funds. Members voting yes: Mr. Hollibaugh, Mrs. Jordan, Mr. Smullin and Mr. Frey. Members voting no: Mr. Wiegand. Motion carried (four “yes” and one “no”).

ADOPTION: RESOLUTION NO. 2024-3 (RACP RESOLUTION)

RESOLUTION NO. 2024-3 SETTING ASIDE \$1,500,000 IN RESERVE FUNDS TO SERVE AS RACP INTERIM FUNDING/BRIDGE FUNDING FOR THE MUNICIPAL BUILDING CONSTRUCTION.

The Board received a copy of the Resolution No. 2024-3.

Mr. Mator explained this resolution is just a formality that the state requires for receiving grant funding.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to adopt Resolution No. 2024-3 setting aside \$1,500,000 in reserve funds to serve as RACP interim funding/bridge funding for the Municipal Building construction. Motion carried unanimously 5-0.

AUTHORIZATION: ADVERTISEMENT - ORDINANCE NO. 457: OIL AND GAS LEASE AGREEMENT (RANGE RESOURCES)

ORDINANCE NO. 457

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE TOWNSHIP TO LEASE OIL AND GAS RIGHTS ASSOCIATED WITH A PORTION OF A PUBLIC RIGHT-OF-WAY KNOWN AS BLUEROW STREET LOCATED ADJACENT TO A PARCEL IDENTIFIED AS BLOCK AND LOT NO 1362-A-385, CONSISTING OF 0.109 ACRES IN AREA, TO RANGE RESOURCES – APPALACHIA, LLC.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to authorize the advertisement of Ordinance No. 457 . Motion carried unanimously 5-0.

AUTHORIZATION: HEISLER PLAN OF LOTS

The Planning Commission recommended approval of the Heisler Plan of Lots minor subdivision at their December 14, 2023 meeting.

Property Location: 48 Quigley Road
Zoning District: R-2 – Semi Suburban Residential
The proposal is to divide one 6 acre residential lot into three – 2 acre residential lots.

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

1. Supervisor’s accept modification of slope (14 to 17.5).
2. Provide Road Maintenance Agreement.

3. Complete sewage module.
4. Satisfy all comments in the Scott Shoup Engineering letter dated 12.15.2023.

Mr. Shoup outlined the details of the subdivision. He mentioned that there was one open item to discuss which was the modification request of the subdivision ordinance relative to the road grade. Mr. Shoup reported that per ordinance the current maximum grade for a private street is 14% and the proposal from applicant was at 17.5%.

Mrs. Jordan asked if Mr. Shoup recommended the modification.

Mr. Shoup responded as long as the applicant understands that 17.5% was steep and could be very challenging in the winter weather. He added that he would recommend approving the request.

Mr. Wiegand reported that he was able to visit the property and there should not be an issue with the transition for fire apparatus, which was common for slopes.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Wiegand to approve the Heisler Plan of Lots per the recommendation of the Planning Commission with the conditions previously mentioned. Motion carried unanimously 5-0.

ADOPTION: RESOLUTION NO. 2024-4 (HEISLER SEWAGE PLANNING MODULE)

RESOLUTION NO. 2024-4 APPROVES THE PA DEP SEWAGE FACILITIES PLANNING MODULE FOR THE HEISLER 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.

The Board received a copy of the Resolution No. 2024-4.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to adopt Resolution No. 2024-4 approving the PA DEP Sewage Facilities Planning Module for the Heisler Plan. Motion carried unanimously 5-0.

AUTHORIZATION: PAYROLL SOFTWARE AGREEMENT (PATRIOT)

The Board is in receipt of a draft payroll software agreement with Patriot Software, LLC.

Mrs. Starr reported looking into multiple options for new financial software for the Township. She added that she narrowed it down to two and then Mr. Mator, Mrs. Nardis, and herself viewed demonstrations to help decide which one fit the Township's needs best. Mrs. Starr recommended Patriot Software, LLC.

More discussion was held.

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Wiegand to authorize the Chairperson and Township Manager to enter into an agreement with Patriot Software, LLC, subject to the approval of the Township Solicitor and Township Manager as to the form of the agreement. Motion carried unanimously 5-0.

AUTHORIZATION: POLICE VEHICLE TRANSFERS

In Lien of selling retired Police vehicles, the Board of Supervisors agreed to donate them to the Township Emergency Services if requested, and on a first-come/first-serve basis.

West Deer EMS & VFC #2 each requested a Police SUV, and Chief Loper presented memos for each vehicle.

MOTIONED BY Supervisor Hollibaugh and SECONDED BY Supervisor Smullin to authorize the transfer of two Police SUVs to the West Deer EMS and VFC #2 as presented. Motion carried unanimously 5-0.

NEW BUSINESS FOR FUTURE DISCUSSION/ACTION

- Mrs. Jordan asked if the Allegheny County Conservancy request should be added to new business. Mr. Robb responded that no motion was needed because there is an understanding that Mr. Mator was going to have it on the agenda for next month.
- Mr. Wiegand brought up a past discussion where Mr. Mator mentioned restarting the Charter Commission or bringing up discussions about the Charter. He added that he supported the idea and requested how to go about it. Mr. Mator responded to start that it would require two Supervisors and some members from the public to hold committee seats. He added that the past Commission members had come up with a list of recommendations which he still has to use as a starting point. He proposed putting the matter on the agenda for discussion the next month after the Board was able to review the memorandum.
- Mr. Wiegand voiced that he felt it was hard to find the Charter on the Township website, and requested that a link be added to the main page to access it. Mr. Shook responded that he will look into it.
- Mr. Jordan requested that any other suggestions to make the Township website more user friendly be forwarded to Mr. Shook. Mr. Mator recommended that the public reach out to the Township if they felt there were any changes needed to be made to the website to make it easier to navigate, and shared that the administration welcomes such feedback.
- Mr. Wiegand mentioned the last update to the Comprehensive Plan was 2012. Mr. Mator reported Mr. Shook and himself had a meeting with Indiana Township, and are discussing applying for a multi-municipal grant to cover the cost to update the plan.

ANNOUNCEMENTS

- None

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

- Victoria Austin of Hemlock Street
 - Ms. Austin reported residents being approached by Olympus and asked to sign a one year contract to run aboveground water lines across their properties to supply water from the Township's creeks to proposed wells. She added that during the gas well public hearings the local waterways were not mentioned as a source of water for the wells and asked the Board to require Olympus to immediately cease and desist actions, including contract activity. Mr. Robb stressed that for the sake of the public, that these are DEP Regulated matters not the Township.
- Scott Woloszyk of Shuster Road
 - Mr. Woloszyk mentioned that in the past, Mr. Shoup was asked numerous times to give an update on the work being done to the Township parks and asked that the Board also request updates on the new Municipal building. Mrs. Jordan asked Mr. Mator to explain what was on the Township website for the public to view.

Mr. Mator explained that for anyone that would like to see the updates on the new building, there is a section on the Township website dedicated to a live feed of the building being built. He added that if the Board

would like verbal updates at the monthly meetings, he has a timeline he can share but that the timetable unfortunately changes frequently. Mr. Wiegand commented periodic updates would be nice especially when a stage is complete to keep the residents informed. Mrs. Jordan agreed and requested that the Township website be updated when a stage is completed.

- Dominic Costello of Shadow Court

- Mr. Costello reported a rumor that he heard that Transfiguration Church may be bringing in some illegal immigrants, and asked if there was any truth to it and if the community would have any say or vote on that happening. Chief Loper responded he heard the rumor so he tried to substantiate it and has heard nothing else. Mr. Frey asked Chief Loper if he has seen any activity. Chief Loper answered that he has not.

More discussion was held.

- Mary Calavoda of Crystal Spring Court

- Ms. Calavoda asked a followed up question to Ms. Austin's comment about the water being supplied to the gas wells and asked if this happens if there will be a requirement to request a modification to the previous conditional use application. Mrs. Jordan responded that the Township knows nothing about this. Mrs. Calavoda stated that this was apparently not thought about originally because the water was to be trucked in. Mr. Frey replied that he hadn't heard anything about it. Mr. Wiegand asked if this was over by the golf course. Mrs. Cavadora responded that the residents being contacted are from the Leto well site area. Mrs. Jordan deferred to Mr. Robb for legal counsel. Mr. Robb replied he had no further comment.

- Luke Raynovich, Chief of Volunteer Fire Department #1

- Chief Raynovich asked why there hadn't been an American flag in front of the Township. Mr. Mator confirmed that he noticed it was missing as well, and asked Chief Loper if he knew who took it down so it could be replaced. Chief Loper said that he did not know but he would look into it.

More discussion was held.

- Tracy Adamik, President of Volunteer Fire Department #1

- Mr. Adamik reported that one of the VFC's vehicles was in an accident. He asked if the insurance funds could be given directly to them and not placed in the reserve account. Mrs. Jordan asked Mrs. Nardis how she planned on handling the funds. Mrs. Nardis stated it does not go in the capital reserve, the funds get deposited into the general fund so when the Township gets the bill for the vehicle, a check can be written out. Mr. Adamik added that it might be some time because receiving the parts is a problem. Mrs. Nardis responded that the Township will just hold the money until the bill comes.

Mr. Wiegand pointed out that in the past the funds were forwarded to the Fire Company, they claimed as income, and then paid the bill whenever the work was accepted. Mr. Adamik agreed and stated he didn't know why the process was changed. Mr. Mator stated that this was the first he had heard of this so he would look into it the following day.

- Mr. Adamik requested that the money VFC #1 has in their reserve account not be under the new policy, and that he was putting the Township on notice that those were the funds they were going to keep drawing from to pay for some capital improvements.

ADJOURNMENT

MOTIONED BY Supervisor Wiegand and SECONDED BY Supervisor Hollibaugh to adjourn at 8:15 p.m. Motion carried unanimously 5-0. Meeting adjourned.

Daniel J. Mator Jr., Township Manager