

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

Roll Call taken by Mr. Mator – Quorum present

COMMENTS FROM THE PUBLIC ON AGENDA RELATED ITEMS

- Jack Rearick of Corbriwood Lane
 - Mr. Rearick commented on the oil and gas wells, public health, safety, and welfare.
- Victoria Austin of Hemlock Street
 - Ms. Austin commented on Olympus Gas well violations.
- Kathryn Westman of 104 Steeplechase
 - Ms. Westman commented on oil and gas well recommendations in regard to public health.
- Pam Murphy of 1143 Links Way
 - Ms. Murphy commented on Monier Road trees.
- Ron Zielinski of 188 Bryson Road
 - Mr. Zielinski commented on oil and gas well setbacks.
- Yvonne Hutchinson of 425 Bairdford Road
 - Ms. Hutchinson commented on oil and gas well setbacks and the draft Zoning Ordinance.
- David Harrison of 1339 Middle Road Ext.
 - Mr. Harrison commented on Charter recommendations and redistricting.
- Mary Kay Kalivoda of 702 Crystal Spring Court
 - Ms. Kalivoda commented on oil and gas well recommendations.
- Dave Kalivoda of 702 Crystal Spring Court
 - Mr. Kalivoda commented on oil and gas well drilling in specific districts.
- Gary Torick of 1531 Palmer Way
 - Mr. Torick commented on turnout of the public and public safety.
- Ryan Koleno of 3998 Crestwood Drive
 - Mr. Koleno commented on his opposition to the Board's decision makings.

- Robert Carlow of 41 Woodhill Drive
 - Mr. Carlow commented on being opposed to gas wells.
- Tom Tisa of 628 Whispering Pines Drive
 - Mr. Tisa commented on recommendations for oil and gas well provisions.
- Lisa Murrin of 4005 Crestwood Drive
 - Ms. Murrin commented on being opposed to fracking.
- Mark Murrin of 4005 Crestwood Drive
 - Mr. Murrin commented on being opposed to oil and gas wells, and sees costs outweigh the benefits.
- Ross Stump
 - Mr. Stump commented on oil and gas well setbacks and the Leto well pad extension.
- Marcia Brissett of 37 Corbriwood Lane
 - Ms. Brissett commented on importance of passing ordinances to keep public safe.
- Rochelle Baburich of 117 Lex Lane
 - Ms. Baburich commented on her opposition to oil and gas wells.
- Giselle Dudek of 102 Lex Lane
 - Ms. Dudek commented on her support of what has been said in opposition to oil and gas wells.

ACCEPT MINUTES

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Frey to accept the minutes of 20 March 2024 regular business meeting minutes as presented. Motion carried unanimously 5-0.

MONTHLY FINANCIAL REPORT

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

I - GENERAL FUND:

	<u>March</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues	1,395,006.58	2,151,128.69	20.00%
Expenditures	545,703.05	2,004,077.64	18.00%

Cash and Cash Equivalents:

Sweep Account		1,432,954.20	1,432,954.20
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II - SPECIAL REVENUE FUNDS

Cash and Cash Equivalents:

Street Light Fund:

Restricted		65,943.59	
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Fire Tax Fund:

Restricted		31,813.46	
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State/Liquid Fuels Fund:

Restricted		76,663.50	
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	174,420.55
Investments:	
Operating Reserve Fund:	
Reserved	1,054,854.03
Capital Reserve Fund:	
Reserved	952,194.60
	2,007,048.63
 III - CAPITAL PROJECT FUNDS:	
Cash and Cash Equivalents:	
Capital Reserve Fund	
Reserved	3,562,353.30
	3,562,353.30
 TOTAL CASH BALANCE 3/31/24	7,176,776.68

Interest Earned March 2024

27,137.96

	3/1/2024 Debt Balance	March Principal Payment	3/31/2024 Debt Balance
Mars National - VFC #3	\$34,004.15	\$2,607.94	\$31,496.52
NexTier Bank VFC #2	\$351,879.10	\$2,680.96	\$350,338.74

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

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

APRIL LIST OF BILLS

Hei-Way, LLC	531.41
SEI Corporate Headquarters.	2345.94
Jordan Tax Service, Inc	2072.67
Kress Tire.	30.00
Office Depot	439.46
Bearcom.....	292.47
Tucker/Arensberg Attorneys	4528.14
Shoup Engineering Inc	2436.00

MOTION BY Supervisor Smullin and SECONDED BY Supervisor Frey 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 March 2024. A copy of the report is on file at the Township Building.

PUBLIC WORKS FOREMAN'S REPORT

Mr. Frederick Reekie provided a summary report on the Public Works Department for the month of March 2024. A copy of the report is on file at the Township Building.

Mrs. Jordan thanked the Public Works Department for keeping the drains cleaned during the many rain storms.

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
 - 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. Jeffrey and Associates previously installed a new pavilion in the courts area. Shrock Fencing has installed all of the poles for the new fencing at the courts. New sports court surfacing will be applied when the weather permits and the remainder of the fencing will follow.

Development/Subdivision Review

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

- McIntyre Heights
 - A review of this revised PRD was performed and a revised letter dated 22 March 2024 was sent to the Township.

Mr. Shoup reported that Youngblood Paving could be starting next week on repairs and paving work on Logan Road.

Mr. Frey asked for an update on Bairdford Park. Mr. Shoup responded that the asphalt work was complete but the sports court surface and fencing was not.

PLANNING, ZONING, AND CODE ENFORCEMENT REPORT

The Board received the Planning, Zoning, and Code Enforcement Report for the month of March 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 March 2024. 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 March 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 March 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 March 2024 after agenda was completed.

WEST DEER EMS REPORT

The Board received the West Deer EMS Report for the month of March 2024. A copy of the report is on file at the Township Building.

ADOPTION: RESOLUTION 2024-6 (FEE SCHEDULE)

RESOLUTION NO. 2024-6 AMENDING THE FEES CHARGED BY THE TOWNSHIP AS PER THE ATTACHED SCHEDULE OF FEES.

The Board received a copy of Resolution No. 2024-6.

Mr. Frey questioned what fees the oil and gas companies were charged. Mr. Shook replied \$1,300.00 total for conditional use fee and escrow.

Mr. Frey asked if the fees could be increased. Mr. Robb answered that it could not due to state limitations, and explained how the fee structure worked.

More discussion was held.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to adopt Resolution No. 2024-6 amending the fees charge by the Township as per the attached schedule of fees. Motion carried unanimously 5-0.

APPOINTMENT: ALTERNATE ZONING HEARING BOARD MEMBER

The Board appointed alternate member H. Nelson Crooks, Jr. as a full member when a member resigned.

The alternate term expires 31 December 2025, so there was a vacancy to fill his unexpired term.

The Board was in receipt of a letter of interest from Shea Kraft.

MOTIONED BY Supervisor Wiegand and SECONDED BY Supervisor Frey to appoint Shea Kraft as an alternate member of Zoning Hearing Board to fill the unexpired term of H. Nelson Crooks, Jr., which expires 31 December 2025. Motion carried unanimously 5-0.

APPROVAL: LETO WELL PAD EXTENSION

The Board was in receipt of a letter from Olympus Energy, LLC requesting to extend the time to apply for a building and/or occupancy permit for the Leto Well Pad until 21 June 2025, pursuant to the conditional use approval of 21 June 2023 and section 210-119 of the West Deer Zoning Ordinance.

Mr. Robb explained that the applicant was required to ask the Board for an extension due to the project being delayed.

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Smullin to grant the request of Olympus Energy, LLC to extend the time to apply for a building and/or occupancy permit for the Leto Well Pad until 21 June 2025 as presented. Members voting yes: Mr. Hollibaugh, Mrs. Jordan, Mr. Smullin and Mr. Frey. Members voting no: Mr. Wiegand. Motion carried (four “yes” and one “no”).

AUTHORIZATION: ADVERTISEMENT OF 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.

Mrs. Jordan reported that the Board had earlier in the process made the decision to remove the waivers in the new ordinance.

Mr. Robb announced no motion would be entertained on this item. He explained the Board had decided to give the public the opportunity to view the draft ordinance before setting a date for the public hearing.

Mrs. Jordan asked the Board for their recommendations on the oil and gas well setbacks. Mr. Frey voiced his opinion that it should be set at 750 feet since the state was set at 500 feet. Mr. Wiegand disagreed and felt that the setback should be increased to 1,250 feet.

Mr. Wiegand recommended that language be added for protected structures; i.e. schools and churches. Mrs. Jordan and Mr. Robb responded that the ordinance currently has this language.

The Board and Mr. Robb had much discussion about other items in the ordinance such as: adding setbacks specifically to “protected structures, i.e. schools and churches”; eliminating oil and gas well option from R-2 and R-3 districts; increasing the acres required of a property to permit a well pad; and changing the fire department verbiage in multiple areas of the ordinance.

AUTHORIZATION: ADVERTISEMENT – ORDINANCE NO. XXX: (OLYMPUS OIL & GAS LEASE)

ORDINANCE NO. XXX

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, TO AUTHORIZING THE TOWNSHIP TO LEASE OIL AND GAS RIGHTS ASSOCIATED WITH A PARCEL BISECTING THE PUBLIC RIGHT-OF-WAY KNOWN AS MONIER ROAD AND IDENTIFIED AS BLOCK AND LOT NO. 1669-C-88, CONSISTING OF 0.449 ACRES IN AREA, TO OLYMPUS ENERGY, LLC.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Frey to authorize the advertisement of this ordinance. Motion carried unanimously 5-0.

AUTHORIZATION: OAKMONT WATER FIRE HYDRANT INSTALLATION

The Board was in receipt of the Oakmont Water Agreement/Invoice between West Deer Township and Oakmont Water for the installation of fire hydrants.

Mr. Mator explained that every year the fire companies recommend locations for the fire hydrants, the Township Engineer reviews those locations, and the Board approves a budgeted amount for them. He pointed out that this year's budget was \$75,000 for five hydrants. Mr. Mator reported that Oakmont Water invoiced the Township for the full \$75,000, as the cost was actually more but they were willing to purchase and install them for the amount budgeted.

MOTIONED BY Supervisor Smullin and SECONDED BY Supervisor Hollibaugh to authorize the signing of the Oakmont Water Agreement for fire hydrant installation as presented. Motion carried unanimously 5-0.

DISCUSSION: CHARTER RECOMMENDATIONS

Mr. Mator started the discussion by reporting the Board was in receipt of his memorandum, which was included in the previous month's Manager's Report. He explained the points made in the memorandum were items that most affect daily operations of the Township, and that – at the prior meeting – it was discussed that priority items should be established.

Mr. Mator's stated he would recommend two items be prioritized: amending the ordinance advertising language to remove the second, post-approval advertising requirement, and to modify the contract section to reflect limits that are more realistic than the 1974 limits that still remain in the Charter.

Mr. Robb was in agreement, and echoed Mr. Mator's recommendation regarding both items. They both stated that the ordinance requirement was burdensome and caused an unnecessary expenditure of tax dollars, and Mr. Mator cited the \$1,000 limit from the 1974 Charter adoption and compared it to the \$10,000 listed in the Second Class Township Code.

Mr. Wiegand disagreed with Mr. Mator's recommendations being a priority, and stated that voting districts were more important.

Mrs. Jordan pointed out that a few years ago this was on referendum to change to how it is currently and the voters passed it.

Mr. Mator explained that the reason for the districts being created – with one at-large seat – was due to the Township receiving complaints from residents in the past that their area of the Township was not being represented. He explained that the Charter Commission recommended separate districts because such districts would ensure all areas of the Township would be represented. He clarified that supervisors elected from districts do not represent

only the residents of those districts, but *all* the Township residents, and that supervisors being from four distinct districts only ensures that the Board as a whole would be aware of issues from across the Township.

The Board and Mr. Robb held much discussion about other Charter recommendations, such as: changing voting districts; increasing the approval amount of the contracts involving sub-term sums; and incorrect voting locations.

Mr. Mator was directed by the majority of the Board to continue to work on the aforementioned two items that the Township's daily operations would most benefit from.

NEW BUSINESS FOR FUTURE DISCUSSION/ACTION

- None

ANNOUNCEMENTS

- Mr. Frey brought up that in the Police Chief's report it was stated that K-9 Officer Midas searched for a subject that fled a traffic stop. Chief Loper confirmed this by stating that Officer Midas did his job.
- Mr. Wiegand announced that Volunteer Fire Department #1 was hosting a banquet to celebrate their 95th year of service and requested a letter of acknowledgement be given to them. Mr. Mator agreed, and said one would be drafted.

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

- Richard Hollibaugh of Bakerstown Culmerville Road
 - Mr. Hollibaugh asked the Board to consider returning the number of Supervisor seats on the Board from the current five members back to seven.

ADJOURNMENT

MOTIONED BY Supervisor Frey and SECONDED BY Supervisor Wiegand to adjourn at 9:20 p.m. Motion carried unanimously 5-0. Meeting adjourned.

Daniel J. Mator Jr., Township Manager