

West Deer Township  
Board of Supervisors  
June 20, 2012  
7:30 p.m.

The West Deer Township Board of Supervisors held their Regular Business Meeting at the West Deer Township Municipal Building. Members present: Shirley Hollibaugh, Chairwoman; Tracy A. Adamik, Richard W. DiSanti, Jr., Rick W. Florentine, Lawrence K. McManus, and Gerry Vaerewyck. Member absent, Jeffrey D. Fleming. Also present were: Daniel J. Mator, Jr., Township Manager; Barbara Nardis, Finance Officer; Douglas I. Happel, Township Solicitor; and Scott Shoup, Township Engineer.

Chairwoman Hollibaugh opened and welcomed everyone to the meeting.

PLEDGE OF ALLEGIANCE

Roll Call taken by Mr. Mator -- Quorum present.

Chairwoman Hollibaugh announced the Board held an Executive Session prior to the meeting to discuss legal and personnel issues.

Mrs. Hollibaugh also welcomed and announced Boy Scout Troop 169 was in attendance at the meeting.

**REGISTERED COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE PUBLIC:**

Chairwoman Hollibaugh asked if there were any comments at this time on the agenda and public-related items and if so, asked the public to please approach the microphone, clearly state their name and address, and limit their comments to five (5) minutes.

None.

**ACCEPT MINUTES:**

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Florentine to accept the minutes of the May 16, 2012 meeting as presented. Motion carried unanimously 6-0.

**MONTHLY FINANCIAL REPORT:** Mrs. Nardis read the following Finance Officer's Report:

**TOWNSHIP OF WEST DEER**  
**FINANCE OFFICER'S REPORT**  
**May 31, 2012**

**I - GENERAL FUND:**

**Cash and Cash Equivalents:**

Sweep Account	\$ 1,150,938	
		\$ 1,150,938

**II - SPECIAL REVENUE FUNDS**

**Cash and Cash Equivalents:**

**Street Light Fund:**

Sweep Account - Restricted	\$ 110,943	
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**Fire Tax Fund:**

Sweep Account - Restricted	\$ 76,510	
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**State/Liquid Fuels Fund:**

Sweep Account - Restricted	\$ 351,956	
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\$ 539,409

**Investments:**

**Operating Reserve Fund:**

Sweep Account - Reserved	\$ 422,608	
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**Capital Reserve Fund:**

Sweep Account - Reserved	\$ 180,818	
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\$ 603,427

**III - CAPITAL PROJECT FUNDS:**

**Cash and Cash Equivalents:**

**Route 910 II Waterline:**

Sweep Account - Restricted	\$ 74,840	
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\$ 74,840

**TOTAL CASH BALANCE 5/31/12**

\$ 2,368,614

**Interest Earned May 2012**

\$ 119

	<u>4/30/2012</u>	<u>May</u>	<u>5/31/2012</u>
	<u>Debt Balance</u>	<u>Principal</u>	<u>Debt Balance</u>
		<u>Payment</u>	
Mars National- VFC #3	\$ 11,957	\$ 2,844	\$ 0.00
PNC Equipment Finance- VFC #2		\$ 1,889	
Farmers & Merchants Bank-VFC #2		\$ 860	
Volunteer Companies Loan FD-VFC #1	\$ 51,040	\$ 644	\$ 50,484

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

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

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Adamik to approve the Finance Officer's Report as submitted. Motion carried unanimously 6-0.

**LIST OF BILLS:**

Best Wholesale Tire Co., Inc.....	673.96
Beth's Barricades .....	372.00
Griffith, McCague & Wallace, PC .....	3211.00
Hei-Way, LLC.....	1269.25
Jordan Tax Service, Inc. ....	709.81
Kress Tire .....	742.22
Krigger & Co.....	595.24
Mark C. Turnley .....	1750.00
MRM Property & Liability Trust .....	101578.00
MRM Workers' Comp Fund .....	19803.02
NHCOG Stormwater Management .....	4421.00
Office Depot .....	348.81
PSE, Inc.....	4650.00
Shoup Engineering Inc. ....	543.75
Staley Communications.....	183.47
The HDH Group Inc.....	11429.00
Toshiba Financial Services.....	292.23
Trib Total Media .....	489.76
Tristani Brothers, Inc.....	658.99
Walsh Equipment .....	1097.26

MOTION BY Supervisor Florentine and SECONDED BY Supervisor DiSanti to pay the List of Bills as submitted. Motion carried unanimously 6-0.

**UTILITIES & PAYROLL:**

MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to pay utilities and payroll from June 21, 2012 to July 18, 2012. Motion carried unanimously 6-0.

**TAX REFUNDS:**

The Board received the list from the Tax Collector requesting the issuance of tax refunds for double payments made in 2011 and also tax refunds due to assessment changes by Allegheny County for the years 2011 and 2012.

**DOUBLE PAYMENTS MADE IN 2011:**

Name:	Lot/Block	Refund
Corelogic	2014-K-240	\$285.04
	1507-S-236	\$281.13
	1513-E-305	\$199.60
	1835-A-82	\$343.54

**2011 REAL ESTATE TAX REFUNDS:**

Busainski, Jeffrey	1508-E-101	\$2.31
Conley, Lucinda	1356-S-234	\$6.68
Oleksa, Kenneth	1507-H-301	\$86.24
Oak Hill Partners II LLC	1357-H-136	\$36.16

**2012 REAL ESTATE TAX REFUNDS:**

Conley, Lucinda	1356-S-234	\$6.68
McCann, Joseph & Carol	8000-T-3373	\$3.45
Riley, Raymond	8000-T-3367	\$16.59 + \$40.00(Fire Tax)
Schneider, Lucretia	1513-N-320	\$26.72
Soberhart, Richard & Doris	1670-S-46	\$112.85
Oak Hill Partners II LLC	1357-H-136	\$36.16

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to issue the tax refunds as submitted by the Tax Collector. Motion carried unanimously 6-0.

**CODE ENFORCEMENT OFFICER'S REPORT:**

Gary L. Bogan, Code Enforcement Officer was present and provided a summary report for the month of May 2012. Copy of the report is on file at the Township. Questions/comments followed.

**POLICE CHIEF'S REPORT:**

Chief Jon Lape was present and provided a summary report on the Police Department for the month of May 2012. Copy of the report is on file at the Township. Questions/comments followed.

**PARKS & RECREATION BOARD REPORT:**

Ms. Marilyn Kirin, Chairwoman, was present and reported on the Parks & Recreation Board:

- Fishing Day held May 19<sup>th</sup> at Deer Lakes Park
- Movies in the Park/the June movie was cancelled due to weather. The next movie: July 13, 2012
- 80's in the Park/Ferris Bueller's Revenge on June 22, 2012 at Bairdford Park
- Genealogy class was held at the Township Building on June 13<sup>th</sup>
- Community Days

**ENGINEER'S REPORT:**

The Board received the Engineer's Report submitted by Shoup Engineering, Inc. Mr. Scott Shoup was present representing Shoup Engineering, Inc., and summarized the Meeting Attendance, Developments/None, Miscellaneous/2012 Road Improvement Project, Bairdford Park Handicap Accessibility Ramp Project and Demolition Project.

**ORDINANCE NO. 393/RESTATEMENT EMPLOYEES PENSION PLAN:**

ORDINANCE NO. 393

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF TOWNSHIP EMPLOYEES PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE EMPLOYEES OF SAID TOWNSHIP AND TO RESTATE IN ITS ENTIRETY SUCH PENSION PLAN OR PROGRAM.

The Board discussed at length the following Section 8.03 under Article VIII/Termination of Employment in Ordinance No. 393:

**8.03 Vested Benefits Upon Termination** – In lieu of receiving a distribution of Accumulated Contributions, a Participant who shall have completed ten (10) Years of Service – or five (5) years of Service for any Employee classified as senior management – with the Employer and who ceases to be an Employee of the Employer for any reason other than death, retirement or Total and Permanent Disability, may elect to vest retirement benefits under the Plan by filing a written notice of the intention to vest with the Plan Administer within ninety (90) days of the date Employment ceases. A Participant who exercises such an option shall be eligible, upon attainment of what would have been the Participant's Normal Retirement Date, for a vested retirement benefit equal to the Accrued Benefit, determined as of the date on which Employment ceased. If a Participant elects to vest a benefit but dies prior to the commencement thereof, the Beneficiary shall be entitled to a distribution of the Participant's Accumulated Contributions in accordance with the terms of sections 7.02 and 8.02 hereof.

Mr. Mator explained the Vested Benefits in regard to the Restatement of the Ordinance and answered questions by the Board.

After further discussion, MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to reject Ordinance No. 393 and continue with the plan as the previous year.

After more discussion, questions, comments, MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to withdraw the motion to reject Ordinance No. 393.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to adopt Ordinance No. 393 as amended by striking the phrase, *for five (5) Years of Service for any Employee classified as senior management* in Section 8.03. Motion carried unanimously 6-0.

**CHANGE ORDER #1 – BAIRDFORD PARK ROAD:**

West Deer Township 2012 Road Improvement Project (#8868)  
Contract 123-01  
Battan, Eisenhower, McArthur, & Patton Drives  
Change Order #1 – Bairdford Park Road

In connection with the above-reference Number 8868 located in West Deer Township, the following additions are ordered to this project for Contract Number 12-01 only:

Addition of extra materials to perform work on Bairdford Park Road, as follows:

Widening.....	405 SY at \$28.75 per SY
2 ½ inches ID-2 binder course.....	1,595 SY at \$ 9.00 per SY
1 ¼ inches ID-2 wearing course.....	1,595 SY at \$ 4.97 per SY
18 inches asphalt wedge curb.....	372 LF at \$ 1.50 per LF
Backfill road with topsoil, seed, fertilizer & mulch.....	1,220 LF at \$ 2.25 per LF

The contract price is increased approximately by the following amount: \$37,228.90

After some discussion, MOTION BY Supervisor McManus and SECONDED BY Supervisor Adamik to accept the Change Order No. 1 in the amount of \$37,228.90. Motion carried unanimously 6-0.

**PUBLIC WORKS TRUCK:**

The Board received the following quote from Tri Star Motors and Walsh Equipment for one (1) 2012 Ford F550 Super Duty 4x4 cab & chassis in the amount of \$73,140.00 under the SHACOG Purchasing Alliance with 4.0% financing (60 months) through Laurel Capital Corporation.

After some discussion on the truck and the possibility of a down payment, MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor DiSanti to authorize the purchase of one (1) 2012 Ford F550 Super Duty 4x4 cab & chassis to Tri Star Motors in the amount of \$73,140.00 and put down \$20,000 allocated this year towards the truck and make it a 48 month financing (3.9%).

The Board discussed the truck, lease amount, budget, down payment, etc. A roll call vote was then taken. Motion carried unanimously 6-0.

**TRACTOR/BOOM MOWER:**

The Board received the following quote from Walsh Equipment for one (1) Massey Ferguson Model 5455 2-Wheel Drive Tractor and Tiger Bengal BB-22 Side Stow Transport Mower in the amount of \$66,982.00 with 3.8% financing (36 months) through Laurel Capital Corporation.

Supervisor Adamik recommended the Board table the purchase of the tractor/boom mower. There was much discussion on the old boom mower and the purchase of a new tractor/boom mower. Mr. Mator recommended voting on this due to the tractor/boom mower is only used during the summer months.

Mr. Mator also reported all of the vehicles were budgeted to purchase in the Public Works Department Budget.

MOTION BY Supervisor Adamik and SECONDED BY Supervisor Vaerewyck to table the purchase of one (1) 2012 Massey Ferguson Model 5455 2-Wheel drive Tractor and Tiger Bengal BB-22 Side Stow Transport Mower. A roll call vote was taken. Members voting yes, Mr. Florentine, Mr. McManus, Mr. Vaerewyck, Mr. Adamik, and Dr. DiSanti. Member voting no, Mrs. Hollibaugh. Motion carried to table, 5 – yes and 1 – no.

**TOOL TRUCK:**

The Board received the following quote from Tri Star Motors for one (1) NEW 2012 Ford F350 Super Duty 4x4 Reg Cab in the amount of \$38,190.00 under the SHACOG Purchasing Alliance and with 4.0% financing (60 months) through Laurel Capital Corporation.

After some discussion on the need of the tool truck, budget/financing, etc., MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to authorize the purchase of one (1) new 2012 Ford F350 Super Duty 4x4 Reg Cab to Tri Star Motors in the amount of \$38,190.00 with the financing through Laurel Capital Corporation at 4.0%. Motion carried unanimously 6-0.

**2013 PRELIMINARY ROAD PROGRAM:**

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to include the following roads in the 2013 Annual Budget as part of the 2013 Preliminary Road Program:

McIntyre, Hunter, Cemetery, Simon, Miller, Anna Dale, Burger, Itinger, Quigley, Grubbs, Trump, White, Far, Ramsey, and Aber. Motion carried unanimously 6-0.

**NEW ZONING ORDINANCE & MAP PUBLIC HEARING:**

Supervisor DiSanti had some concerns with the issues of the Gas and Oil Section of the Zoning Ordinance and asked the Board to consider changes in regard to having it be more restrictive in regard to that Section. Mr. Happel explained changes can be made at the upcoming public hearing. After further discussion, MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to authorize the advertisement for the public hearing, with possible voting action for the new Zoning Ordinance and Map.

Date: August 29, 2012

Time: 7:00 p.m. at the West Deer Township Municipal Building.

Motion carried unanimously 6-0.

**SALE OF POLICE VEHICLE:**

MOTION BY Supervisor McManus and SECONDED BY Supervisor Florentine to authorize the advertisement for the sale of the 2005 Ford Crown Victoria Police Interceptor. Motion carried unanimously 6-0.

**OLD BUSINESS:**

- Supervisor Adamik – Announced the Township will be sending out letters notifying residents before paving begins for the 2012 Road Program.
- Chairwoman Hollibaugh – Thanked and commended the Public Works Department in getting the outside of the Township Building ready for Memorial Day and also thanked the Supervisors that attended the service.

**NEW BUSINESS:**

- Supervisor DiSanti – Commented on a letter including photographs he received by Shelia Hanlon, resident from Logan Road, asking the Board to consider some safety issues on Logan Road.
- Mr. Mator – Commented on:
  1. Penn Dot in regard to a traffic study for a signal light at Route 910 & Middle Road. Mr. Mator indicated the Township would have to commit to paying for the signal if the traffic study indicates one is needed. Chief Jon Lape summarized the project.
  2. The Township received a letter from West Deer EMS requesting the Worker's Compensation be paid out of their budgeted monies that they receive each year – Item to be placed on the Agenda for next month.
  3. The Township received a Letter of Interest from Tom DeMartini to serve on the Parks & Recreation Board – Item to be place on the Agenda for next month.
  4. The Township received notification of a special election on Tuesday, August 7, 2012 between 7:00 a.m. and 8:00 p.m. to elect a new State Senator replacing Jane Orie.

Chairwoman Hollibaugh announced the July 4, 2012 meeting has been cancelled.

**SET AGENDA – July 18, 2012**

**6:30 p.m. -- Executive Session**

**7:30 p.m. -- Regular Business Meeting**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Executive Session Held
5. Registered Comments from the Public
6. Comments from the Public
7. Accept minutes
8. Monthly Financial Report
  - A. Treasurer's Report
  - B. List of Bills
  - C. Utilities & Payroll
9. Code Enforcement Officer's Report
10. Police Chief's Report
11. Report from the Parks & Recreation Board
12. Engineer's Report
13. Old Business
14. New Business
15. Set Agenda/August 15, 2012
16. Comments from the Public
17. Adjournment

Items added:

\*West Deer EMS

\*Tom DeMartini/Parks & Recreation  
\*Tractor/Boom Mower

**COMMENTS FROM THE PUBLIC:**

Chairwoman Hollibaugh asked if there were any comments on the agenda and public-related items and if so, asked the public to please approach the microphone, clearly state their name and address, and limit their comments to five (5) minutes.

None.

**ADJOURNMENT:**

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Florentine to adjourn the meeting at 9:30 p.m. Motion carried unanimously 6-0. Meeting adjourned.

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Daniel J. Mator, Jr., Township Manager