

West Deer Township  
Board of Supervisors  
December 19, 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, Jeffrey D. Fleming, and Lawrence K. McManus. Members absent, Rick W. Florentine and Gerry Vaerewyck. Also present were: Daniel J. Mator, Jr., Township Manager; Barbara Nardis, Finance Officer; Mark Griffith, Township Solicitor; and Scott Shoup, Township Engineer.

Chairwoman Hollibaugh opened and welcomed everyone to the meeting.  
PLEDGE OF ALLEGIANCE

**A MOMENT OF SILENCE was held for the victims at the Sandy Hook Elementary School in Newtown, Connecticut.**

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.

**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 – MINUTES AMENDED:**

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Fleming to accept the minutes of the November 21, 2012 and December 5, 2012 meetings as presented.

At this time, Supervisor Adamik questioned his motion on December 5, 2012 for the sale of the Tractor/Boom Mower indicating he made the motion, “to sell it for \$19,100.00” and in the minutes the motion states “to sell it to Glenn Johnston for \$20,000.00.” Mr. Mator explained that during the discussion held after Supervisor Adamik’s motion it was clarified that Mr. Johnston was the actual buyer and that he was willing to pay \$20,000.00, but that the actual bid price was for \$19,100.00. The wording in the minutes reflected the information given to the Board at that time.

Mr. Mator also indicated the Township received the check in the amount of \$20,000.00 from Mr. Johnston. Supervisor DiSanti AMENDED his motion and Supervisor Fleming AMENDED his second to clarify the motion. Motion carried unanimously 5-0.

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

**TOWNSHIP OF WEST DEER**  
**FINANCE OFFICER'S REPORT**  
**November 30, 2012**

**I - GENERAL FUND:**

**Cash and Cash Equivalents:**

Sweep Account	\$ 545,515	
		\$ 545,515

**II - SPECIAL REVENUE FUNDS**

**Cash and Cash Equivalents:**

**Street Light Fund:**

Sweep Account - Restricted	\$ 74,154	
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**Fire Tax Fund:**

Sweep Account - Restricted	\$ 55,081	
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**State/Liquid Fuels Fund:**

Sweep Account - Restricted	\$ 352,003	
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		\$ 481,238
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**Investments:**

**Operating Reserve Fund:**

Sweep Account - Reserved	\$ 422,757	
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**Capital Reserve Fund:**

Sweep Account - Reserved	\$ 180,871	
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		\$ 603,628
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**III - CAPITAL PROJECT FUNDS:**

**Cash and Cash Equivalents:**

**Route 910 II Waterline:**

Sweep Account - Restricted	\$ 76,097	
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		\$ 76,097
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**TOTAL CASH BALANCE 11/30/12**

		\$ 1,706,478
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**Interest Earned November 2012**

\$ 120

	<u>10/31/2012</u>	<u>November</u>	<u>11/30/2012</u>
	<u>Debt Balance</u>	<u>Principal</u>	<u>Debt Balance</u>
		<u>Payment</u>	
Mars National- VFC #3	\$ 93,796.26	\$ 1,799	\$ 92,208.44
PNC Equipment Finance- VFC #2		\$ 1,889	
Farmers & Merchants Bank- VFC #2	\$ 860		
Volunteer Companies Loan FD-VFC #1	\$ 47,689.05	\$ 644	\$ 47,127.68

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

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

MOTION BY Supervisor Fleming and SECONDED BY Supervisor DiSanti to approve the Finance Officer's Report as submitted. Motion carried unanimously 5-0.

**LIST OF BILLS:**

Best Wholesale Tire Co., Inc.....	580.53
Beth’s Barricades.....	1295.00
Culverts, Inc.....	2750.00
Del-Sir Supply, Inc.....	1511.67
Environmental Planning & Design, LLC.....	4690.07
Griffith, McCague & Wallace, PC.....	2850.50
Hampton Concrete Products Inc.....	4924.00
Hei-Way, LLC.....	1328.25
Jordan Tax Service, Inc.....	450.46
Kress Tire.....	4509.99
MRM Workers’ Comp Fund.....	16963.27
National Road Utility Supply Inc.....	33.42
Neil Florentine.....	1562.52
Physio-Control, Inc.....	1155.84
S&D Calibration Services.....	116.00
Shoup Engineering Inc.....	1155.50
Staley Communications.....	183.47
State Workers’ Insurance Fund.....	4861.00
The HDH Group, Inc.....	1056.00
The Lane Construction Corporation.....	511.21
Toshiba Financial Services.....	606.17
Trib Total Media.....	298.24
Tristani Brothers, Inc.....	240.00
Walsh Equipment.....	2109.48

MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to pay the List of Bills as submitted. Motion carried unanimously 5-0.

**UTILITIES & PAYROLL:**

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to pay utilities and payroll from December 20, 2012 to January 17, 2013. Motion carried unanimously 5-0.

**CODE ENFORCEMENT OFFICER’S REPORT:**

Gary L. Bogan, Code Enforcement Officer was present and provided a summary report for the month of November 2012. Mr. Bogan also provided the Board with pictures of the completed demolition project at 92 Benjamin Street and 100 Orchard Street. Copy of the report is on file at the Township. Questions/comments followed.

Supervisor DiSanti commented on noise complaints from the Deer Hollow Road residents in regard to the new owners of the Joseph B. Fay Company and requested the buffer/screening be installed in that area. Mr. Bogan will send a letter scheduling a meeting to the new owners to discuss the concerns of the residents in that area.

**POLICE CHIEF’S REPORT:**

Chief Jon Lape was present and provided a summary report on the Police Department for the month of November 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:

- There will not be a meeting in December. The next meeting will be held on January 23, 2012 at 7:00 p.m. for the reorganization and the regular meetings and then a Community Days meeting will follow.
- Christmas Party on December 9<sup>th</sup> was a huge success.
- Popcorn & a Movie will be on January 4<sup>th</sup> at 7:00 p.m. at the East Union Community Center.
- Requested a motion from the Board to approve the West Deer Nightmare/haunted house for September/October of 2013.
- The Parks & Recreation Board wished everyone a Happy Holiday.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Fleming to approve to put the haunted house on the schedule for next year's Halloween. Motion carried unanimously 5-0.

**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/Whispering Pines Lot 14 Subdivision Plan; Miscellaneous/Guiderail. Mr. Shoup also reported the contractor submitted a price of \$300.00 in regard to cutting the guiderail on McKrell Road. The Board only wanted to receive a price at this time.

**WHISPERING PINES – AMENDED LOT 14:**

The Planning Commission approved the Whispering Pines – Amended Lot 14 at their November 15, 2012 meeting.

This subdivision is to divide the existing Lot #14 of the subdivision known as the Whispering Pines into two separate properties in accordance with Ordinance No. 374. The lots will equal:

- Lot 14A.....20,915 sq. ft.
- Lot 14B.....20,085 sq. ft.

Mr. Shoup reviewed the plan and commented that the north arrow needs to be rotated to be consistent with the plans bearing system. Item taken care of.

The Planning Commission recommended approval of the Amended Lot #14 of the Whispering Pines Subdivision. The Plan satisfies the applicable Township Ordinance requirements.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Fleming to approve the Whispering Pines – Amended Lot 14 Subdivision Plan as per the recommendation by the Planning Commission. Motion carried unanimously 5-0.

**ORDINANCE NO. 395/STREETS & SIDEWALKS:**

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND RESTATING ORDINANCES 127, 130, AND 304 COLLECTIVELY AS THE TOWNSHIP OF WEST DEER STREETS AND SIDEWALKS ORDINANCE.

MOTION BY Supervisor Fleming and SECONDED BY Supervisor DiSanti to adopt Ordinance No. 395.

During discussion, Supervisor Adamik expressed his concern over the use of the word "Manager" in the ordinance – "*The Manager of the municipality or his or her authorized deputy, representative or inspector.*" Supervisor Adamik felt the ordinance should be enforced solely by the Code Enforcement Officer as in other ordinances.

After explanations as to why the current language is legal and valid by Mr. Mator, Mr. Griffith, and Mr. Bogan, a roll call vote was taken. Motion carried unanimously 5-0.

At this time, Supervisor DiSanti suggested the Board consider installing more streetlights in the Township.

**LOCAL 205 AGREEMENT:**

Teamsters Local 205 Employee contract effective January 1, 2013 through December 31, 2018.

Before a motion, Supervisor Adamik questioned if the agreement in any way hampered the Township's ability to lay off employees in the future. Mr. Griffith and Mr. Mator explained that it did not.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Fleming to ratify the Teamsters Local 205 Employee contract from January 1, 2013 through December 31, 2018 and authorize the execution by the Township Manager and the Chairwoman of the Board of Supervisors integrated collective bargaining agreement incorporating the negotiated terms. Motion carried unanimously 5-0.

**RESOLUTION NO. 2012-13/FEE SCHEDULE:**

The Board received the current Fee Schedule.

TOWNSHIP OF WEST DEER  
ALLEGHENY COUNTY, PENNSYLVANIA  
RESOLUTION NO. 2012-13

A RESOLUTION ESTABLISHING VARIOUS TOWNSHIP FEES.

MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to adopt Resolution No. 2012-13 establishing the various Township fees. Motion carried unanimously 5-0.

**OUTDOOR ICE RINK/BAIRDFORD PARK:**

The Parks & Recreation Board & Committee both recommended the purchase of an outdoor ice rink for Bairdford Park. The Township received a quote from NiceRink for \$4,566.86. This does not include approximately \$175.00 for freight and associated items such as rubber mats, hockey goals, etc.

Supervisor Adamik had various questions on maintaining the ice rink.  
A posted sign would list the rules and regulations at the ice rink.

After further discussion, MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Fleming to authorize the purchase of a 40' x 100' NiceRink Gold Package in the amount not to exceed \$5,500.00. Motion carried unanimously 5-0.

**PICNIC TABLES:**

The Parks & Recreation Board & Committee recommended the replacement of five (5) picnic tables this year. The tables have been budgeted, and the Board received copies of the proposals. At this time, it is recommended that the Township purchase 8' galvanized tables with recycled plastic tops.

After some discussion, MOTION BY Supervisor Fleming and SECONDED BY Supervisor McManus to approve the purchase of five (5) 8' galvanized picnic tables from Fifthroom in the amount of \$4,650.00. A roll call vote was taken. Members voting yes, Mr. Fleming, Mr. McManus, Mr. Adamik, and Mrs. Hollibaugh. Member abstaining, Dr. DiSanti (Dr. DiSanti informed the Board he is in favor of the purchase but is abstaining because he knows the individual who submitted the lowest bid). Motion carried, 4 – yes and 1 – abstention.

**HYTYRE FARMS/ACCEPTANCE OF STREETS:**

Richland Holdings, LLC, requested the acceptance of the following streets in the HyTyre Farms Plan: Walker Lane, Duke Court, and Havencrest Drive.

After some questions/discussion, MOTION BY Supervisor DiSanti and SECONDED By Supervisor Fleming to authorize the advertisement of Ordinance No. 397 adopting the following streets in the HyTyre Farms Plan: Walker Lane, Duke Court, and Havencrest Drive and amending Ordinance No. 351 to include the same. Motion carried unanimously 5-0.

**POLICE SUV**

The Township received a quote from Tri Star Motors for a 2013 Ford Explorer SUV, AWD in the amount of \$32,654.90. Chief Lape recommended the purchase of the 2013 Ford Explorer SUV, AWD to replace the 2008 Ford Crown Victoria.

The Township received three lease proposals for financing for (3) three years. Laurel Capital Corporation was the lowest rate at 3.50%.

After some discussion, MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to authorize the purchase of the 2013 Ford Explorer AWD from Tri Star Motors for the outright purchase price of \$32,654.90 and this will save the Township roughly \$1,800.00.

After further discussion, a roll call vote was taken. Motion carried unanimously 5-0.

**PER CAPITA TAX:**

In 1969, the Township Supervisors adopted Ordinance No. 77 levying a per capita tax in the Township.

At this time, Chairwoman Hollibaugh expressed her concerns for the collection of the 2012 and 2013 per capita tax indicating it would be approximately \$52,000.00 and she would like to see that money collected and the tax not be eliminated.

There was much discussion on the \$5.00 per capita tax. The per capita was not collected in 2012 due to per capita tax collector Central Tax Bureau going out of business.

After further discussion, MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Fleming to authorize the Township Manager to enter into an Agreement with Keystone Collections Group to pursue the 2012 per capita tax collection, and the Board would review the future collection of the tax in the coming months. Motion carried unanimously 5-0.

**OLD BUSINESS:**

Brine Sprayers – Supervisor Adamik reported that additional information is needed on the brine sprayers. Some discussion was held but no action taken at this time.

**NEW BUSINESS:**

None.

**ANNOUNCEMENT:**

Mrs. Hollibaugh announced there will not be a meeting on January, 2, 2013.

**SET AGENDA – Reorganization Meeting**

**Monday, January 7, 2013**

**8:00 p.m.**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Nominate & Elect Chairman for the Year 2013
5. Nominate & Elect Vice Chairman for the Year 2013
6. Appoint Township Manager & Treasurer
7. Appoint Police Chief
8. Appoint Code Enforcement Officer
9. Appoint Finance Officer
10. Furnish Bonds
11. Establish Rules of Order
12. Depository for Funds
13. Facsimile Signature
14. Appoint Township Solicitor
15. Appoint Township Engineer
16. Set monthly meetings/date & time
17. Appoint Delegate & Alternate/North Hills COG
18. Appoint Delegate & Alternate/Allegheny County Association of Township Officials
19. Appoint Delegate & Alternate/EIT Tax Committee
20. Conferences
21. Board vacancies/appointments
  - Planning Commission – 2
  - Zoning Hearing Board – 1
  - Parks & Recreation – 1
  - Deer Creek Drainage Basin Authority – 2
22. Set agenda/January 16, 2013
23. Adjournment

**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.

- Mr. Ray Newcomer, 1017 McArthur Drive, expressed his concerns on a truck parked on McArthur Drive blocking the road down to one lane. Police will check on this.
- Mrs. Sara Bossart, 19 Grubbs Road, commented on several issues:
  - \*Per capita tax.
  - \*Suggested Township should pay their Supervisors.
  - \*Marcellus shale monies received & enticing drilling companies to come into the Township.

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**16<sup>th</sup> ANNUAL CHRISTMAS TOY PROGRAM** -- Chairwoman Hollibaugh reported on the Toys for Children distribution and offered a special thanks to Chief Lape.

Also, Chairwoman Hollibaugh on behalf of the West Deer Township Board of Supervisors, wished everyone a Merry Christmas and a Happy New Year.

**ADJOURNMENT:**

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to adjourn the meeting at 8:55 p.m. Motion carried unanimously 5-0. Meeting adjourned.

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Daniel J. Mator, Jr., Township Manager