

West Deer Township  
Board of Supervisors  
July 17, 2013  
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: Jeffrey D. Fleming, Chairman; Tracy A. Adamik, Richard W. DiSanti, Rick W. Florentine, Shirley Hollibaugh, Lawrence K. McManus, and Gerry Vaerewyck. Also present were: Daniel J. Mator, Jr., Township Manager; Barbara Nardis, Finance Officer; Douglas Happel, Township Solicitor; and Scott Shoup, Township Engineer.

Chairman Fleming opened and welcomed everyone to the meeting.  
PLEDGE OF ALLEGIANCE

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

Chairman Fleming announced the Board held an Executive Session prior to the meeting to discuss legal and personnel issues/retirements, employees, and legal road-way issues.

**REGISTERED COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE PUBLIC:**

Chairman Fleming 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.

\*Mrs. Nicole Walters, 461 Sycamore Street, addressed the Board with her concerns about -- and her request for the Board to demolish -- 463 Sycamore Street and 99 Orchard Street. Mrs. Walters also commented on the Housing Committee, and stated she supports the Committee, but felt the two houses are in too poor of condition to be restored as Supervisor Vaerewyck had recommended when he met with Mrs. Walters. Mrs. Walters also submitted handouts and a petition with 100 signatures by residents of the two neighborhoods requesting the demolition of the two structures.

Supervisor Vaerewyck responded that he is a volunteer on the Board of Directors for the Habitat for Humanity and they rehabilitate houses such as the two in question. He stated that he has seen houses in worse condition than these two houses, and that they have been successfully renovated for people who cannot afford to buy a new home. Supervisor Vaerewyck also commented on the taxation of these properties and felt it would be more beneficial from a taxation point-of-view to restore the properties and clean them up.

The Board discussed related topics, such as: the refurbishing of properties by local contractors, taxes, back taxes, legality, etc. Mr. Bogan, Code Enforcement Officer, commented on the condition of the houses and recommended they should be demolished since he felt the houses are not structurally sound, are fire hazards, lower the value of the neighborhoods, and are dangerous to the community.

\*Mr. Bill Sciolla, 114 Orchard Street, informed the Board that, in the past, when the Township tore down 100 Orchard Street, the contractor retained to demolish the structure never touched the brush/trees.

Mr. Sciolla then commented on the house at 99 Orchard Street and stated that he felt it could not be repaired because of water damage and other issues.

The Board further discussed demolitions/school taxes, demolition process, grant monies, budgeted revenues, etc., and questioned what they had approved in the past.

Mr. Mator read the motion from the May, 16, 2012 meeting:

*MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Florentine to approve the 2012 Demolition Project for the above-mentioned properties as per the recommendation of the Code Enforcement Officer and to authorize the Township Engineer to proceed with the project. However, Item #5 – the 463 Sycamore Street property be off the list for consideration of a prospective buyer and if the buyer does not proceed with action on that property then the Township can continue with the demolition. Motion carried unanimously 5-0. The properties listed were, 92 Benjamin Street(torn down), 100 Orchard Street(torn down), 99 Orchard Street, 186 Shoaf Street(torn down), and 463 Sycamore Street.*

Mr. Mator indicated the grant was approved for 1132 Eisenhower Drive, 4687 Gibsonia Road, and 21 Golden Lane. He further mentioned that 99 Orchard Street and 463 Sycamore Street were held off the application due to their being approved for demolition in 2012, and that budget funds were set aside in the 2013 Budget in the case the Board so chose to follow through with their demolition (*see above Motion*).

\*Mr. Mark Walters, 160 Superior Road, commented he checked the house at 463 Sycamore Street for the person mentioned in the motion, but that the individual lost interest in it due to all of the issues. The house was a mess, had mold and foundation problems, a leaking roof, a dip in the main roof, fallen ceiling material, rotten rafters, etc. In addition, he mentioned that house was stripped of piping and electrical wiring completely. He felt that the house was a fire hazard and recommended that both houses be boarded up if the Board did not move forward with the demolitions.

Additional discussion took place amongst the Township officials. Mr. Bogan received complaints on the homes, but reported no citations have been issued. In regard to grant funding, Mr. Mator stated the last feasible date to notify the North Hills Council of Governments would be the COG's September 3<sup>rd</sup> deadline. Supervisor DiSanti commented on how hard grant money is to come by, how the Township could lose future funding if it passed on the award and, with the recommendation by the Zoning Officer, he recommended the Board pursue the demolition of 463 Sycamore Street. Supervisor DiSanti also stated that he would like to see the motion passed, the project completed, and the Housing Committee looking into additional properties.

More discussion was held on the Housing Committee. Also discussed property acquisition processes – such as conservatorship, land banking, and County programs – and residents' affordability to go through such processes.

Additional discussions took place regarding budgeted monies for the additional demolition projects. Supervisor Vaerewyck indicated there is a list of people who are interested in purchasing the homes.

\*Mr. Lee Shuster, 465 Sycamore Street, commented on the 463 Sycamore home (nuisance animals) and the overgrown grass/weeds, etc. Supervisor McManus explained funding for the demolition may have been approved last spring, but that the voting on the actual demolition has not taken place yet, he had not yet made a decision, and felt people are jumping the gun.

\*Mr. Bill Yanicko, 23 McKrell Road, addressed the Board regarding the agenda item to possibly cut the guiderail in front of his funeral home. Mr. Yanicko presented the Board with his perspective on the history/background of the construction process leading to the placement of the guiderail by the County.

The McKrell Bridge/road modification plan/construction took place over several years, and Mr. Yanicko felt it was still not finished. He said that the original plans had no mention of any guiderail, and that near the end of the project a meeting was called. Mr. Yanicko stated that the Township Manager attended that meeting and approved the grass strip that was going to be placed between his parking lot and McKrell

Road, and that Mr. Mator told Mr. Yanicko that the Township would maintain the grass strip twice a year if it was within the McKrell Road right-of-way.

Mr. Yanicko further stated that after another meeting was set up with representatives from the County, project engineer, several township supervisors, and Mr. Yanicko. According to Mr. Yanicko, they walked the project site and the County assured the attendees that no guiderail would be put up, the grass strip would be paved, and a catch basin would be installed.

Mr. Yanicko explained that none of the work the County said they would do was performed, but the guiderail – which they said would not be installed – was indeed installed. He questioned why the guiderail was installed, and why the County would use the State’s law of having a 250 foot sightline when McKrell Road is a township road. Mr. Yanicko further indicated that there was no guiderail in any area except his.

Mr. Yanicko commented older people have tried to step over the guiderail while attending the funeral home and have complained to him as to why he put the guiderail up. He said the guiderail is causing a major burden upon his business and asked the Board to consider removing part of the guiderail.

**ACCEPT MINUTES:**

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Hollibaugh to accept the minutes of the June 19, 2013 meeting as presented. Motion carried unanimously 7-0.

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

**TOWNSHIP OF WEST DEER**  
**FINANCE OFFICER'S REPORT**  
**June 30, 2013**

**I - GENERAL FUND:**

**Cash and Cash Equivalents:**

Sweep Account	\$ 827,050	
		\$ 827,050

**II - SPECIAL REVENUE FUNDS**

**Cash and Cash Equivalents:**

**Street Light Fund:**

Sweep Account - Restricted	\$ 63,480	
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**Fire Tax Fund:**

Sweep Account - Restricted	\$ 57,830	
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**State/Liquid Fuels Fund:**

Sweep Account - Restricted	\$ 448,916	
		\$ 570,226

**Investments:**

**Operating Reserve Fund:**

Sweep Account - Reserved	\$ 554,706	
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**Capital Reserve Fund:**

Sweep Account - Reserved	\$ 180,921	
		\$ 735,627

**III - CAPITAL PROJECT FUNDS:**

**Cash and Cash Equivalents:**

**Route 910 II Waterline:**

Sweep Account - Restricted	\$ 81,384	
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<b>\$ 81,384</b>
<b>\$ 2,214,287</b>

**TOTAL CASH BALANCE 6/30/13**

<b>Interest Earned June 2013</b>	<b>\$ 62</b>		
	<b>5/31/2013</b>	<b>June</b>	<b>6/30/2013</b>
	<b><u>Debt Balance</u></b>	<b><u>Principal</u></b>	<b><u>Debt Balance</u></b>
<b>Mars National- VFC #3</b>	\$ 82,758.08	\$ 1,799	\$ 68,042.90
<b>PNC Equipment Finance- VFC #2</b>		\$ 1,889	
<b>Farmers &amp; Merchants Bank- VFC #2</b>	\$ 860		
<b>Volunteer Companies Loan FD-VFC #1</b>	\$ 34,607.05	\$ 644	\$ 34,021.22

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

MOTION BY Supervisor McManus and SECONDED BY Supervisor Hollibaugh to approve the Finance Officer's Report as submitted. Motion carried unanimously 7-0.

**LIST OF BILLS:**

Best Wholesale Tire Co., Inc.....	1683.08
Beth's Barricades.....	50.00
Griffith, McCague & Wallace, PC.....	1918.40
Hampton Concrete Products, Inc.....	136.80
Jordan Tax Service, Inc.....	972.92
Kress Tire.....	502.56
Krigger & Co.....	101.25
Markl Supply.....	750.00
Neil Florentine.....	2800.00
North Eastern Uniforms & Equip Inc.....	2847.00
North Hills COG SRT Vehicle Maintenance.....	1218.62
Office Depot.....	209.45
Shoup Engineering Inc.....	715.00
Staley Communications.....	183.47
The Lane Construction Corporation.....	3295.98
Toshiba Financial Services.....	622.26
Tractor Supply Credit Plan.....	999.99
Trib Total Media.....	320.48
Tristani Brothers, Inc.....	979.62
Walsh Equipment.....	20.24

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Florentine to pay the List of Bills as submitted. Supervisor Vaerewyck questioned the Beth's Barricade bill. Motion carried unanimously 7-0.

**UTILITIES & PAYROLL:**

MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to pay utilities and payroll from July 18, 2013 to August 21, 2013. Motion carried unanimously 7-0.

**POLICE CHIEF'S REPORT:**

Chief Jon Lape was present and provided a summary report on the Police Department for the month of June 2013. Questions/comments followed. Copy of the report is on file at the Township. Also discussed/the Chief, Officer Shurina, and Supervisor Vaerewyck met and discussed/compared the cameras & recommended Allegheny Safe Alarms. (11 cameras with capability to increase).

**MOTION TO RECESS:**

Supervisor Vaerewyck asked for a five-minute recess. Chairman Fleming agreed and called for a five-minute recess.

**MEETING CONTINUED:**

**PARKS & RECREATION BOARD REPORT:**

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

- Movie at the Park/July 12 – approximately 25-30 attended/Last movie for the season.
- July 19<sup>th</sup>/Big Fat Jazz concert at Bairdford Park/Free to public, 7:30 pm to 9:00 p.m.
- July 24<sup>th</sup>/Mandatory Community Days meeting/More vendors and booths this year than ever.
- West Deer Nightmare – Shawn Maudhuit will get the contract to Mr. Mator.
- Playground update at Bairdford Park:  
Mr. Mator reported the Public Works Department had performed drainage work at the Bairdford Park playground in preparation for new surface material and – possibly – new equipment.
- Tennis lessons

Supervisor DiSanti informed the Board he will be out of town the weekend of Community Days so he won't be able to participate.

**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: Meeting Attendance; Developments/Rebecca Residence; Miscellaneous/2013 Road Projects.

Mr. Shoup also discussed the replacement/repair of damaged guiderails on McKrell Road.

**RESOLUTION #2013-6/DUI GRANT:**

Resolution #2013-6 is a Resolution authorizing the Township Manager, Daniel Mator, to sign the DUI Grant on behalf of West Deer Township.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor DiSanti to adopt Resolution #2013-6. Motion carried unanimously 7-0.

**2013 DEMOLITION PROJECT/CDBG YEAR 39:**

The following three (3) structures are the recommendation by Gary Bogan, Code Enforcement Officer, for the CDBG Program through the North Hills Council of Governments for the 2013 Demolition Project:

- 1) 1132 Eisenhower Drive
- 2) 4687 Gibsonia Road
- 3) 21 Golden Lane – Alternate

The properties are in violation of the International Building Code, Section 116 (Unsafe Structures and Equipment) and Section 116:1 (Conditions). The properties are also in Violation of Article VI of ACH Rules and Regulations (Section 651E) which is a nuisance by reason on unrestricted plant growth.

MOTION BY Supervisor Vaerewyck to table this for a month to allow the Housing Committee look into these properties further. NO SECOND – Motion fails.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Hollibaugh to approve the 2013 Demolition Project for 1132 Eisenhower Drive, 4687 Gibsonia Road, and 21 Golden Lane (Alternate), as

per the recommendation of the Code Enforcement Officer and to authorize the Township Engineer to proceed with the Project. Supervisor DiSanti pointed out that the motion is no way a sleight toward the Housing Committee that is looking at these projects, and stated that his concern dealt with the funding availability and that the property has been condemned under the statutory law. After some discussion, a roll call vote was taken. Members voting yes, Mr. Florentine, Dr. DiSanti, Mrs. Hollibaugh and Mr. Fleming. Members voting no, Mr. Vaerewyck, Mr. Adamik, and Mr. McManus. Motion carried, 4 – yes and 3 – no.

**2013 DEMOLITION/TOWNSHIP:**

The following two (2) structures are also the recommendation by Gary Bogan, Code Enforcement Officer through the Township for the Budgeted 2013 Demolition Project:

- 1) 99 Orchard Street
- 2) 463 Sycamore Street

The properties are in violation of the International Building Code, Section 116 (Unsafe Structures and Equipment) and Section 116:1 (Conditions). The properties are also in violation of Article VI of ACH Rules and Regulations (Section 651E) which is a nuisance by reason on unrestricted plant growth.

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor DiSanti to approve the Budgeted 2013 Demolition Project for 99 Orchard Street and 463 Sycamore Street as per the recommendation of the Code Enforcement Officer and to authorize the Township Engineer to proceed with the project.

A roll call vote was taken. Members voting yes, Dr. DiSanti, Mrs. Hollibaugh, Mr. Florentine, and Mr. Fleming. Members voting no, Mr. Vaerewyck, Mr. Adamik, and Mr. McManus. Motion carried, 4 – yes and 3 – no.

**GUIDERAIL AT YANICKO FUNERAL HOME:**

Chairman Fleming explained to Mr. Yanicko that during Executive Session, the Board – with advice from the Township Solicitor – discussed legal issues in regard to the project and the Board has not yet come up with a firm direction. Supervisor Vaerewyck added that the Board needs a traffic engineer’s report to determine the Board’s course of action

Mr. Yanicko asked what could be done to finish the project. The Solicitor explained the Township is in the process of looking into the legal aspects of cutting the guiderail and that he wasn’t aware the project wasn’t finished by the County. Mr. Yanicko was then asked if he received a final punch list from the County, and he replied that he did not. Much discussion followed.

**COMMITTEE UPDATES:**

At this time, each Committee Chairperson reported on their Committee updates:

- 1) Mr. Vaerewyck – Public Safety Committee  
Security cameras/Allegheny Safe & Lock Company \$10,855.00 (Motion was made at the last meeting not to exceed \$11,500.00).
- 2) Mr. McManus – Planning, Zoning, & Code Enforcement Committee & North Hills COG
- 3) Mr. Adamik – Engineering & Public Works Committee
- 4) Mrs. Hollibaugh – Financial Legal, and Human Resources Committee
- 5) Mr. Vaerewyck – Housing Committee  
Chairman Fleming added that the Housing Committee has put a great deal of effort into researching options and that the Board is looking out for the best interest for the Township. He stated that he drove by and looked at the houses that the Board voted to demolish and voted “yes” based on safety factors. Chairman Fleming thanked the Committee and pointed out that just because the vote went through for the demolition of the two aforementioned houses doesn’t mean that, down the road, other houses couldn’t be saved.
- 6) Mr. Fleming – Parks & Recreation Committee

**OLD BUSINESS:**

- Supervisor McManus asked if the volleyball net could be replaced at the Park. Mr. Mator stated that Mr. Jeff Florentine was already instructed to install a new net, and that it would be done shortly.
- Supervisor Vaerewyck asked about the time frame for the sidewalk at the Township Building. Mr. Mator replied that it would take three days, and that the contractor was ready to begin as soon as the weather cooperated.
- Supervisor Fleming requested Mr. Mator push to make things happen for the playground at the Park.
- Mr. Mator commented on the EMS worker's compensation invoice and setting up a meeting prior to payment of the invoice. The Public Safety Committee had initially requested a meeting with the full EMS Board, but Mr. Mator stated that a member of that board had recently suffered a stroke. Mr. Vaerewyck, chair of the Committee, then stated that a quorum of EMS board members would suffice.

**NEW BUSINESS:**

None.

**SET AGENDA – Regular Business Meeting**

August 21, 2013

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. Finance Officer'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. Committee Reports
14. Old Business
15. New Business
16. Set Agenda/September 18, 2013
17. Comments from the Public
18. Adjournment

Items added:

\*2014 Road Program

\*Playground Equipment

At this time a discussion was held on the playground equipment/issues, maintenance, refurbish/replacement, mulch, swings, and cost of the equipment at the Park. Supervisor Vaerewyck

informed the Board he has a welding machine to fix the sliding board. After further discussion, Mr. Mator will contact Chairman Fleming on the items at the Park.

**COMMENTS FROM THE PUBLIC:**

Chairman Fleming 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.

\*Mrs. Kelly Maloney, 4689 Gibsonia Road, commented on the structure for demolition at 4687 Gibsonia Road. Safety concerns/flood area/dangerous conditions, etc. The County web site lists it as a vacant property and it is not a vacant property.

\*Mr. Gary Bogan, Code Enforcement Officer, mentioned Denise Teorsky, the Secretary in the Code Enforcement Office, has been ill and off work for some time and asked everyone for their thoughts to be with her. Chairman Fleming, on behalf of the Board, stated their thoughts and prayers are with her.

\*Mrs. Michele Sieg, 106 Orchard Street, commended and thanked the Board in regard to the demolition at 99 Orchard Street. Mrs. Sieg also commented on a broken drainage pipe in the rear of her property.

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**ADJOURNMENT:**

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Hollibaugh to adjourn the meeting at 9:25 p.m. Motion carried unanimously 7-0. Meeting adjourned.

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Daniel J. Mator, Jr., Township Manager