

11/06/2013

West Deer Township
Board of Supervisors
November 6, 2013
7:30 p.m.

The West Deer Township Board of Supervisors held a Public Hearing and 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; and Douglas Happel, Township Solicitor.

7:00 p.m. – PUBLIC HEARING – TO CONSIDER INTER-MUNICIPAL TRANSFER OF RESTAURANT LIQUOR LICENSE:

Chairman Fleming opened the public hearing.

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

The Court Reporter was present and swore in all individuals testifying at the public hearing.

It was then announced that the public hearing was advertised, the property posted, and notices were sent to adjoining property owners.

Pursuant to Section 461 of the Pennsylvania Liquor Code, the Board of Supervisors of West Deer Township held this hearing to take public comments on a proposed inter-municipal transfer of a restaurant liquor license from the Borough of McKeesport to Xtra Innings Sports Bar & Grille, LLC, Suite 400, 1590 Saxonburg Boulevard, Tarentum, West Deer Township, to vote on the proposed restaurant liquor license transfer, and to hear all other lawful matters which may come before the Board.

Ms. Holly L. Guna, Caputo & Caputo, P.C., was present, representing Xtra Innings Sports Bar & Grille, LLC, and summarized the liquor license transfer to the Xtra Innings Sports Bar & Grille. Owner is Allison Pavlik. Ms. Pavlik was not present. Present was her husband, John Pavlik.

Questions followed by the Board. Mr. Gary Bogan, Code Enforcement Officer, was present and explained the transfer and indicated the zoning which is SU/Special Use. Mr. Pavlik explained that the sports bar will be very beneficial and will be family oriented/kids friendly. More questions followed.

OPEN PUBLIC COMMENTS:

* Charles & Colleen Wolfe, 1593 Saxonburg Boulevard – commented that they have serious issues/concerns with the transfer. Their driveway is directly across the street from the driveway to the entire complex. They added that they have already had several drunk drivers end up in their yard, and that there is an above-ground gas meter in the front yard, so they have concerns with individuals coming out of the facility drunk and hitting the gas meter.

More discussion was held on the training of the bartenders/managers to deal with issues, the entrance, and the parking. Mr. Bogan and Mr. Pavlik will meet and talk with Mr. Vrabel, owner of the property in regard to the parking issues and report back to the Board.

* Joel Trocki, 1579 Saxonburg Boulevard – commented on the access coming out onto the main entrance, the bars and restaurants that are already in the area, and doesn't agree with adding another bar. He also commented on the hours (opened until 2 a.m.).

11/06/2013

* Dave Trocki, 1579 Saxonburg Boulevard – Commented the entrance to his driveway is directly across from the entrance to the sports complex facility, commented on the access on private property of neighbor to go through that property to gain access into entrance of Sports Bar, current 13 parking spaces/additional parking spaces, building was put up to benefit the youth of the Township, time facility closes/set hours at sports bar facility.

*Colleen Wolfe, 1593 Saxonburg Boulevard, originally was from Lawrenceville and dealt with nuisance bars. She stated she came to West Deer to get out of the bar environment indicating there were people out all hours of the night, damage done to properties, lot of noise. She also commented that at this time there is no entertainment planned but it could possibly change causing noise and crowds, nice quiet neighborhood, liquor license stay with the building if it fails/future dealing with new owners, and traffic/speeding.

Attorney Guna addressed the concerns of the residents. Various discussions on citations, regulations, safe guards, various bars, Police Department enforcement, screening/buffer area to minimize noise – Mr. Bogan can also address screening at the meeting with Mr. Vrabel. Mr. Pavlik also addressed the issues and stated if there are any problems, he will take care of them.

* Dan Wagner, 1586 Saxonburg Boulevard – his property is right behind Vrabel’s building and he has concerns with traffic leaving at night and the headlights facing his house, parking/using the rear and noted his property is the rear property. Mr. Bogan will also look at a buffer/fence in the back at the meeting with Mr. Vrabel. Mr. Wagner’s driveway is his egress to his house and it is the property they use to cross over to Vrabel’s road.

More discussion followed.

RESOLUTION NO. 2013-8:

A RESOLUTION OF WEST DEER TOWNSHIP, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE TRANSFER OF RESTAURANT LIQUOR LICENSE R-10342 INTO WEST DEER TOWNSHIP FROM THE MUNICIPALITY OF MCKEESPORT.

MOTION BY Supervisor Vaerewyck to adopt Resolution No. 2013-8 which is the transfer of Restaurant Liquor License R-10342 into West Deer Township from the Municipality of McKeesport. Supervisor DiSanti SECONDED but asked Supervisor Vaerewyck to include in his motion that the concerns of the residents that Mr. Bogan will look into be part of the motion. After some discussion and not amending the motion, Mr. Bogan indicated an occupancy permit will be needed and he will address the parking issues, signage issues, and the screening/buffer issues. Supervisor DiSanti wanted it on record of the resident’s concerns.

Supervisor DiSanti then SECONDED the motion.

Mr. Happel read the motion:

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor DiSanti to adopt Resolution No. 2013-8 which is the transfer of Restaurant Liquor License R-10342 into West Deer Township from the Municipality of McKeesport. Motion carried unanimously 7-0.

ADJOURN PUBLIC HEARING

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to adjourn the public hearing. Motion carried unanimously 7-0.

OPEN REGULAR BUSINESS MEETING

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

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

Chairman Fleming announced:

- Liquor license transfer hearing prior to the regular business meeting
- Workshop meeting to discuss the Preliminary 2014 Budget will immediately follow the Regular Business Meeting
- Executive Session held prior to the meeting to discuss legal issues and personnel salaries

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.

None.

PUBLIC WORKS TRUCK:

The Board received a quote from Tri Star Motors and Walsh Equipment for one (1) new 2014 Ford F350 Super Duty 4x4 Cab Chassis and equipment under the ShaCOG Purchasing Alliance:

2014 Ford 350 Super Duty 4x4 Cab & Chassis	\$26,276.00
Equipment Package Total Package	\$29,022.00
Spreader/Highway 8' Model P Hopper	\$ 6,795.00
Stainless Steel Couplers	\$ <u>500.00</u>
TOTAL:	\$62,593.00

Also attached is the financing through Laurel Capital Corporation:

Amount	Term	Rate	Payment
\$62,593.00	36 months	3.1%	\$1,825.00
\$62,593.00	60 months	3.2%	\$1,131.00

Supervisor Vaerewyck commented on money that wasn't spent in the Budget/\$50,000.00 for Maintenance Building and – since there is a budget meeting tonight – asked if the Township could reallocate that money and just buy it outright. He pointed out that there is plenty of money in the Public Works Budget. A discussion took place regarding this request.

Supervisor Adamik commented that the new truck will replace the 2004 one ton/snow plow and salt box and the Township will sell the old truck. He also mentioned the Township will need to address repairs on Benjamin Street/detour access road once the Culmerville Bridge closes, so he does not feel we can continually purchase vehicles outright.

After further discussion, MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to authorize the purchase of one (1) new 2014 Ford F350 Super Duty 4x4 cab & chassis to Tri Star Motors in the amount of \$62,593.00 and pay for the vehicle in full from the Operating Reserve Fund.

After further discussion, Supervisor Vaerewyck amended his motion to authorize the purchase of one (1) new 2014 Ford F350 Super Duty 4x4 cab & chasses to Tri Star Motors in the amount of \$62,593.00 and to pay for the vehicle out of the designated line item in the General Fund and the Operating Reserve Fund. ■

Supervisor McManus SECONDED amendment. Motion carried unanimously 7-0.

CODIFICATION:

The Board received two (2) proposals for codification services for West Deer Township:

- 1) Keystate Publishers, Inc. -- \$ 8,745.00
- 2) General Code -- \$ 11,577.00

Supervisor McManus recommended sending this to the Committee for review and would like more time to review it as the issue was new to him. Mr. Mator indicated the Financial & Legal Committee discussed the codification in the past and was budgeted by the Board in the 2013 Budget, and explained why the codification is needed by the Township.

Much discussion followed.

MOTION BY Supervisor McManus to postpone voting on the codification at least until the next meeting. Supervisor Vaerewyck asked Supervisor McManus if he just wants to send it to the Committee and Supervisor McManus then altered his motion to send it to the Committee. It was discussed that no Committees have been set yet, however.

Mr. Happel reiterated the motion:

MOTION BY Supervisor McManus to postpone voting on the codification at least until the next meeting/November 20, 2013. SECONDED BY Supervisor Vaerewyck. After further discussion, a roll call vote was taken. Members voting yes, Mr. Vaerewyck, Mr. Adamik, Dr. DiSanti, Mr. Florentine, Mr. McManus, and Mr. Fleming. Member voting no, Mrs. Hollibaugh. Motion carried, 6 – yes and 1 – no.

COMMITTEE APPOINTMENTS:

Mr. Happel informed the Board -- to create the Committees and then appoint a Chair with members to each Committee.

Public Safety Committee:

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Vaerewyck to authorize the creation of the Public Safety Committee. Motion carried unanimously 7-0.

MOTION BY Supervisor Vaerewyck to appoint Gerry Vaerewyck the Chair of the Committee with the other members being Dr. DiSanti and Mrs. Hollibaugh. SECONDED BY Supervisor McManus. A roll call vote was taken. Members voting yes, Mr. Adamik, Mr. Florentine, Mrs. Hollibaugh, Mr. McManus, Mr. Vaerewyck, and Mr. Fleming. Member voting no, Dr. DiSanti. Dr. DiSanti indicated he would like Mr. Vaerewyck to Chair the Housing Committee. Motion carried 6 – yes and 1 – no.

Planning, Zoning, and Code Enforcement Committee and the North Hills COG:

MOTION BY Supervisor McManus and SECONDED BY Supervisor Adamik to create Planning, Zoning, and Code Enforcement Committee and the North Hills COG. Motion carried unanimously 7-0.

MOTION BY Supervisor McManus to appoint Lawrence McManus the Chair of the Committee with the other members being Mr. Adamik and Mr. Florentine. SECONDED BY Supervisor Hollibaugh. Motion carried unanimously 7-0.

Engineering & Public Works Committee:

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor DiSanti to create the Engineering & Public Works Committee. Motion carried unanimously 7-0.

MOTION BY Supervisor Adamik to appoint Tracy Adamik the Chair of the Committee with the other members being Mr. Florentine and Mr. Fleming. SECONDED BY Supervisor Vaerewyck. Motion carried unanimously 7-0.

Financial, Legal & Human Resources Committee:

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to create the Financial, Legal & Human Resources Committee. Motion carried unanimously 7-0.

MOTION BY Supervisor Hollibaugh to appoint Shirley Hollibaugh the Chair of the Committee with the other members being Mr. Fleming and Mr. Florentine. SECONDED BY Supervisor McManus. Motion carried unanimously 7-0.

Housing Committee:

MOTION BY Chairman Fleming and SECONDED BY Supervisor McManus to create the Housing Committee. Motion carried unanimously 7-0.

MOTION BY Supervisor Vaerewyck to appoint Tracy Adamik the Chair of the Committee. Mr. Adamik declined.

MOTION BY Supervisor Florentine to appoint Rick Florentine the Chair of the Committee with the other members being Mr. Adamik and Dr. DiSanti. SECONDED BY Supervisor Hollibaugh. Motion carried unanimously 7-0.

Parks & Recreation Committee:

MOTION BY Chairman Fleming and SECONDED BY Supervisor McManus to create the Parks & Recreation Committee. Motion carried unanimously 7-0.

MOTION BY Supervisor DiSanti to appoint Richard DiSanti the Chair of the Committee with the other members being Mr. McManus and Mr. Fleming. SECONDED BY Chairman Fleming. Motion carried unanimously 7-0.

Economic Development Committee:

Supervisor Vaerewyck discussed having the Economic Development Committee again.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to create the Economic Development Committee. Motion carried unanimously 7-0.

MOTION BY Supervisor Adamik to appoint Jeffrey Fleming the Chair of the Committee with the other members being Mr. Vaerewyck and Mr. Adamik. SECONDED BY Supervisor McManus. Motion carried unanimously 7-0.

OLD BUSINESS:

None.

NEW BUSINESS:

- Mr. Mator commented on the repair/replacement of the roof at the Bairdford Park pavilion (one quote was received) and indicated the Committee will review the quotes once the Township receives the additional quotes.
- Chairman Fleming discussed the building improvements at the Township Building. Further discussion was held. Supervisor Vaerewyck suggested getting the work done in the Police Department and suggested the Public Safety Committee can look at and get some numbers together and bring it back to the Board.
- Mr. Mator indicated the EMS has offered to meet on November 13th at 11 a.m. with the Committee.
- Supervisor Adamik reported he attended the COG meeting and commented on the firm of Cohen & Cohen that did a study for cable/utilities. The study showed the COG municipalities that participated and the substantial monies they received. At the time of the audit, the Board elected not to participate. Supervisor Adamik suggested the Township should check into it to see if they would review West Deer. Much discussion was held.

SET AGENDA – Regular Business Meeting

Set Agenda/November 20, 2013

6:30 p.m. – Executive Session

7:30 p.m. – Regular Business Meeting

WORKSHOP MEETING TO DISCUSS THE PRELIMINARY 2014 BUDGET WILL IMMEDIATELY FOLLOW THE 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
 - D. Tax Refunds
9. Police Chief's Report
10. Report from the Parks & Recreation Board
11. Engineer's Report
12. Public Works Trailer
13. Committee Reports
14. Old Business
15. New Business
16. Set Agenda/December 4, 2013
17. Comments from the Public
18. Adjournment

Items Added:

*Codification

*Approval of Building Repairs

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.

* Mr. Gary Bogan, Code Enforcement Officer, reported he met with the contractor doing the demolition on the houses on Orchard and Sycamore Streets and they will be demolished the end of the week.

* Supervisor DiSanti recognized Boy Scout Troop 628 which was in attendance at the meeting.

ADJOURNMENT:

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor DiSanti to adjourn the meeting at 8:15 p.m. Motion carried unanimously 7-0. Meeting adjourned.

Daniel J. Mator, Jr., Township Manager