

West Deer Township
Board of Supervisors
April 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, Rick W. Florentine, Shirley Hollibaugh, Lawrence K. McManus, and Gerry Vaerewyck. Member absent, Richard W. DiSanti. Also present were: Daniel J. Mator, Jr., Township Manager; Barbara Nardis, Finance Officer; Mark Griffith, Township Solicitor; and Scott Shoup, Township Engineer.

2013 BUDGET – PUBLIC HEARING – 7:00 P.M.

Chairman Fleming called the budget meeting to order.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS:

Chairman Fleming announced the Board will hear comments on agenda and public-related items at this time and to please approach the microphone, clearly state your name and address, and limit your comments to five (5) minutes.

None.

SETTING OF THE 2013 PROPERTY TAX MILLAGE RATE:

At the December 5, 2012 Budget meeting, the Board reduced the Real Estate tax millage from 2.35 mills to 2.03 mills for the 2013 tax year.

At the February 20, 2013 meeting, the Board of Supervisors voted to postpone the mailing of the Real Estate property taxes including the Streetlight tax bills for 2013 because of concerns regarding the County reassessment figures and their effect on the Township's Budget.

This special voting meeting is to readjust the 2013 property tax millage rate due to updated assessment figures from Allegheny County, and to reopen and alter the 2013 Budget accordingly and to address all other related lawful matters.

Following a County assessment year, West Deer Township is bound to set the millage rate at 100% of the actual collected property tax revenue from the prior year. That revenue was \$1,247,457.13.

The County's most recent assessment (April 12th) for the Township is \$721,560,270. At a collection rate of 91%, the property tax millage rate should be set at 1.902 mills to meet the 100% requirement.

After some discussion, MOTION BY Supervisor Florentine and SECONDED BY Supervisor Hollibaugh to set the 2013 West Deer Township property tax millage rate at 1.902, as required by State law. Motion carried unanimously 6-0.

SETTING OF THE 2013 PROPERTY TAX 105% MILLAGE RATE:

The year after a County assessment, State law permits the Township to go up to 5% over the aforementioned 100% requirement. However, this action must be made in the form of a separate motion after the 100% millage rate has been set.

Allegheny County's total assessment for West Deer is still not solidified, and is guaranteed to continue to decrease as appeals are entered. (See below)

Original 2013 Assessment:	\$750,056,116
December 20 th :	\$732,931,158
February 8 th :	\$726,211,058
March 1 st :	\$725,903,058
April 5 th :	\$721,560,270
April 12 th :	\$720,748,970

As the assessment decreases, so does the revenue that pays for public services. Not adopting a higher, permissible millage rate would most likely lead to a deficit at year end. It is therefore recommended that the Board set the 2013 property tax millage rate at 1.99 mils (104.63%) to offset future decreases.

After some discussion, MOTION BY Supervisor McManus and SECONDED BY Supervisor Vaerewyck to set the 2013 West Deer property tax millage rate at 1.99 mils as permitted by State law.

ADOPTION OF RESOLUTION NO. 2013-4/ADOPT 2013 BUDGET:

With the millage rate being altered, changes are necessary to the 2013 Budget. The Board received a copy of the Budget with the altered line items. The individual Budgets are as follows:

GENERAL FUND BUDGET

Revenues: \$4,612,483.08
Expenditures: \$4,612,483.08

STREET LIGHTING FUND BUDGET

Revenues: \$ 70,100.00
Expenditures: \$ 87,000.00

FIRE TAX FUND BUDGET

Revenues: \$ 180,000.00
Expenditures: \$ 180,000.00

CAPITAL RESERVE FUND BUDGET

Revenues: \$ 100.00
Expenditures: \$ 0.00

LIQUID FUELS FUND BUDGET

Revenues: \$ 280,800.65
Expenditures: \$ 580,000.00

OPERATING RESERVE FUND BUDGET

Revenues: 500.00
Expenditures: \$ 325,901.21

RESOLUTION NO. 2013-4

A RESOLUTION TO ADOPT THE 2013 BUDGET AS ALTERED TO ACCOMMODATE THE REDUCED PROPERTY TAX MILLAGE RATE.

At this time Supervisor Vaerewyck moved to amend the Resolution to move \$62,000 into the Budget Maintenance Fund to take care of the maintenance and improvements that different Committees proposed.

Maintenance of Building is 409.373 and has \$15,000 in it now. Moving the 410.743 and 410.744 is \$19,622.24 in addition to that and the balance from the bridge fund 430.720 reducing that to \$50,000 which has not been used in many years. Maintenance would be just for the Municipal Building.

Solicitor Griffith read the following from the Home Rule Charter, Section C1146 – Modification of Budget.
The Board may modify the budget by resolution during the fiscal year for which the budget was adopted; provided, however, that such modification shall not result in expenditures exceeding the estimated income determined as of the time of the modification, and provided one public hearing on the modification is held, released as set forth in Section C-1145.

Mr. Griffith indicated the public hearing is this evening and the meeting was properly advertised.

Some discussion was held with the Road Committee on reducing the bridge fund. Supervisor Vaerewyck indicated it would be \$27,377.76 out of the bridge fund. Supervisor Adamik indicated he would like to keep the bridge fund. It was further discussed to leave the bridge fund intact and use the Operating Reserve fund.

After further discussion, Supervisor Vaerewyck amended the Resolution 2013-4 to include to increase the line item 409.373 -- Repairs and Maintenance to \$62,000.00 and transferring money from 410.743 & 410.744 for combined \$19,622.24 and 95492.001 for \$27,377.76 -- additionally all 3 in the 2013 Budget to accommodate the property tax millage rate decrease as voted on previously. Supervisor McManus seconded. Motion carried unanimously 6-0.

ADJOURNMENT/PUBLIC HEARING:

MOTION BY Supervisor Adamik and SECONDED BY Supervisor Hollibaugh to adjourn the public hearing at 7:32 p.m. Motion carried unanimously 6-0.

OPEN REGULAR MEETING

Chairman Fleming opened the regular meeting.

PLEDGE OF ALLEGIANCE

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

Chairman Fleming announced prior to the meeting, the Board held a public Budget Meeting at 7 p.m. and an Executive Session -- litigation with RPP, LLC and potential legal 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.

None.

ACCEPT MINUTES:

Supervisor Vaerewyck raised discrepancies in the minutes regarding the Police Department SUV. It was contended that the SUV was discussed three different times during that meeting – Public Safety Committee Update, Discussion of Building, and at the very end of the meeting after Comments from the Public – and those three discussions are not noted in the minutes. MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to amend those sections and adopt the minutes pursuant to those changes being made. 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

March 31, 2013

I - GENERAL FUND:

Cash and Cash Equivalents:

Sweep Account	\$ 206,657	
		<u>\$ 206,657</u>

II - SPECIAL REVENUE FUNDS

Cash and Cash Equivalents:

Street Light Fund:

Sweep Account - Restricted	\$ 46,792	
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Fire Tax Fund:

Sweep Account - Restricted	\$ 25,053	
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State/Liquid Fuels Fund:

Sweep Account - Restricted	\$ 210,128	
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\$ 281,973

Investments:

Operating Reserve Fund:

Sweep Account - Reserved	\$ 531,274	
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Capital Reserve Fund:

Sweep Account - Reserved	\$ 180,905	
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\$ 712,178

III - CAPITAL PROJECT FUNDS:

Cash and Cash Equivalents:

Route 910 II Waterline:

Sweep Account - Restricted	\$ 76,117	
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\$ 76,117

TOTAL CASH BALANCE 3/31/13

\$ 1,276,925

Interest Earned March 2013

\$ 70

	2/28/2013	March	3/31/2013
	<u>Debt Balance</u>	<u>Principal</u>	<u>Debt Balance</u>
		<u>Payment</u>	
Mars National- VFC #3	\$ 87,553.20	\$ 1,799	\$ 85,951.30
PNC Equipment Finance- VFC #2		\$ 1,889	
Farmers & Merchants Bank- VFC #2	\$ 860		
Volunteer Companies Loan FD-VFC #1	\$ 35,796.04	\$ 644	\$ 35,213.72

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 6-0.

LIST OF BILLS:

Best Wholesale Tire Co., Inc.....	197.08
Beth's Barricades.....	155.00
Griffith, McCague & Wallace, PC.....	3810.50
Hampton Concrete Products Inc.....	314.00
Hei-Way, LLC.....	2300.05
Jordan Tax Service, Inc.....	1782.49
Kress Tire.....	248.00
Markl Supply.....	412.85
North Eastern Uniforms & Equip Inc.....	1016.51
Office Depot.....	238.87
Shoup Engineering Inc.....	495.00
Staley Communications.....	183.47
State Workers' Insurance Fund.....	1620.00
Toshiba Financial Services.....	627.26
Trib Total Media.....	401.48
Tristani Brothers, Inc.....	1210.11

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

Supervisor Vaerewyck questioned in regard to the List of Bills as to where items like the reimbursement check he received shows up. Mrs. Nardis explained the List of Bills.

UTILITIES & PAYROLL:

MOTION BY Supervisor McManus and SECONDED BY Supervisor Hollibaugh to pay utilities and payroll from April 18, 2013 to May 15, 2013. Motion carried unanimously 6-0.

CODE ENFORCEMENT OFFICER'S REPORT:

Gary L. Bogan, Code Enforcement Officer was absent due to surgery -- No report submitted.
Chairman Fleming updated Mr. Bogan's progress.

POLICE CHIEF'S REPORT:

Chief Jon Lape was present and provided a summary report on the Police Department for the month of March 2013. Questions/comments followed. Copy of the report is on file at the Township.

PARKS & RECREATION BOARD REPORT:

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

- *Easter Egg Hunt
- *Movies in the Park/May 3rd will be the first one at Bairdford Park.
- *May 18/Tennis Clinic
- *May 19/Fishing Day at Deer Lakes Park – Pam Tedesco runs the program and the class is full already.
- *May 24/ Parks & Recreation meeting at 7:00 p.m. followed by a Community Days meeting at 7:30 p.m.

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/2013 Road Projects and General/Assistance with miscellaneous matters regarding zoning, subdivision, subdivision, and traffic impact fees.

Mr. Shoup also informed the Board the contracts have been signed with Youngblood Paving for the Road Projects. They are ready to start as soon as the Township Public Works Department have the roads prepared.

Supervisor Adamik reported on the work being done.

PER CAPITA TAX:

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor Adamik to continue to collect the per capita tax for 2013 and subsequent years until the Board so chooses to disband it. A roll call vote was taken. Members voting yes, Mr. McManus, Mr. Florentine, Mrs. Hollibaugh, Mr. Adamik, and Mr. Fleming. Member voting no, Mr. Vaerewyck. Motion carried, 5 – yes and 1 – no.

HIRE PART TIME POLICE OFFICERS:

The Board received a memorandum from Chief Lape recommending the hiring of the following two (2) applicants for the position of part time police officer:

1. Joshua Logan
2. Daniel Pickard

The background checks were performed and were to the satisfaction of the Township.

The two applicants were present and Chief Lape introduced them to the Board.

MOTION BY Supervisor Adamik and SECONDED BY Supervisor Hollibaugh to hire Joshua Logan as a part time police officer for West Deer Township as per the recommendation by Chief Lape under the condition that he will begin once he receives his certification number. Motion carried unanimously 6-0.

MOTION BY Supervisor McManus and SECONDED BY Supervisor Adamik to hire Daniel Pickard as a part time police officer for West Deer Township as per the recommendation by Chief Lape under the condition that he will begin once he receives his certification number. Motion carried unanimously 6-0.

POLICE SUV:

The Board received the quote from Tri Star Motors for one (1) 2013 Ford Expedition 4 door 4x4 XL -- \$35,231.41. Tri Star Motors participates in the ShaCOG Purchasing Alliance.

The Township also received the following four (4) quotes for monthly financing for three (3) years:

- 1) First Niagara \$1,025.44 payment (3.056%, no fees)
- 2) FNB Comm. \$12,150.04 payment (Annual, 3.5%, no fees)
- 3) Laurel Capital (3.2%, no fees)
- 4) Real Lease \$1,038.74 payment (3.58%, \$175 fee)

At this time, Supervisor Hollibaugh made a motion to TABLE until the next meeting because one member of the Public Safety Committee is absent and he would like to put his input on this item.

Supervisor Vaerewyck asked Chief Lape to report on the need and use of the vehicle and the Chief did so. Discussion followed. Motion carried to TABLE unanimously 6-0.

ROAD EQUIPMENT BIDS:

The Board received quotes from vendors for the purchase of a 2013 Skid Steer and associated equipment:

1. JCB 300T from Walsh Equipment \$67,049.45
2. Takeuchi TL 10 from Groff Equipment \$69,805.00
3. Caterpillar 299D from Cleveland \$67,217.04
4. Bobcat T770 from Bobcat of Pgh. \$63,278.73
5. John Deere 333DT from Murphy \$74,317.40

The Township also received the following four (4) quotes for annual financing for three (3) years:

- 1) First Niagara \$24,601.37 payment (2.593%, no fees)
- 2) FNB Commercial \$24,814.50 payment (3.5%, no fees)
- 3) Laurel Capital (3.2%, no fees)
- 4) Real Lease \$2,116.10 payment (monthly, 3.58%)

A discussion was held. Supervisor Adamik and Chairman Fleming requested that this item be discussed in greater detail at the committee level before a vote is taken.

Mr. Jim Sturgeon, representative from Walsh Equipment was present and explained the Skid Steer and attachments and the side entrance getting into the JCB and also the safety of the JCB.

MOTION BY Supervisor Adamik and SECONDED BY Supervisor McManus to TABLE until the next meeting. Motion carried to TABLE unanimously 6-0.

COMMITTEE UPDATES:

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

- 1) Mr. Vaerewyck – Public Safety Committee
- 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. Fleming – Parks & Recreation Committee
 - Mr. Mator announced a Parks & Recreation public meeting on the Master Plan will be held on Wednesday, April 24, 2013 at 7:00 p.m. at the Township Building.

OLD BUSINESS:

Supervisor Vaerewyck questioned the list of benefits he received from Mr. Mator in regard to the North Hills COG. Supervisor Vaerewyck went through the 26 items listed, and Mr. Mator and Mr. Shoup explained each and expressed which are used by the Township. List is on file at the Township.

NEW BUSINESS:

1) Valley News Dispatch correspondence received on April 8, 2013 from Jeff Domenick, Editor. Solicitor Griffith commented on the letter which was intended as a reminder of the Pennsylvania's Open Meetings Law pertaining to the requirement to be more specific in announcing the reason/s for holding executive sessions such as explaining what litigations are being discussed.

2) Supervisor Vaerewyck asked why the Township is using PNC Bank when they moved out of the Township and First Commonwealth is here and can offer the same benefits. Both Mrs. Nardis and Mr. Mator explained the benefits of using PNC Bank and stated that in previous years the Township checked with various banks and those banks would not waive the various fees that PNC does. Supervisor McManus indicated that First Commonwealth said they would offer everything that PNC offers. Mr. Mator stated that each time the Township was approached by First Commonwealth they said the same thing, but that – when reduced to writing – they were not able to match PNC's rates and/or services. He also indicated when PNC moved out of the Township, they set up a carrier to pick up deposits at the Township Building.

3) Supervisor Vaerewyck addressed the Board in moving to put together a committee on the housing issue in regard to vacant land and land banks.

CREATE COMMITTEE:

MOTION BY Mr. Vaerewyck and SECONDED BY Mr. Florentine to create a committee for the housing bank and vacant property recycling. After some discussion, motion carried unanimously 6-0.

Mr. McManus questioned if there is a list of delinquent tax properties. Mr. Mator indicated we have the list and it changes monthly. Mr. Mator is working with Jordan Tax on revising/updating the list.

MEMBERS FOR THE COMMITTEE: Supervisors Vaerewyck, McManus, & Florentine.

4) Supervisor Vaerewyck questioned how does the Township move forward on the building repairs since there is now money for the repairs. Need: List, prices, contracts, in-house work, etc. Supervisor Adamik will set up a Committee meeting on the use of the Public Works Department on the project.

MOTION/DUI GRANT APPLICATION:

Chief Lape addressed the Board in regard to the 2013-2014 funding period for the DUI Grant application. Chief Lape questioned if the Board wishes the Township to continue being the coordinator then the Township will need to apply for the grant. The grant application has to be submitted by May 21, 2013. (Funding should remain the same/approximately \$60,000).

After some discussion, MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to back the Chief's efforts in applying this year. Motion carried unanimously 6-0.

SET AGENDA – Regular Business Meeting

May 15, 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. Announcements:
 - Rabies Clinic/WD Dog Shelter
 - Memorial Day Services
17. Set Agenda/June 19, 2013
18. Comments from the Public
19. Adjournment

Items Added:

- Police SUV
- Skid Steer

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.

- 1) Mr. Scott Woloszyk, Shuster Road, requested a recycling bin. Mr. Woloszyk also requested “No Littering” signs on rural areas/roads in the Township.
- 2) Mrs. Sarah Bossart, Grubbs Road, addressed the Board for clarification on the street light tax and the per capita tax.

ADJOURNMENT:

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor McManus to adjourn the meeting at 8:57 p.m. Motion carried unanimously 6-0. Meeting adjourned.

Daniel J. Mator, Jr., Township Manager