

West Deer Township
Board of Supervisors
October 15, 2014
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; Leonard Guerre; Lawrence K. McManus; and Gerry Vaerewyck. Member absent: Rick W. Florentine. Also present were: Daniel J. Mator, Jr., Township Manager; Barbara Nardis, Finance Officer; Douglas Happel, Township Solicitor; and Scott Shoup, representing Shoup Engineering, Inc.

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 and also gas leases.

- At this time Supervisor Vaerewyck announced he had a potential conflict of interest in the gas lease matter.

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. Kathy Ehnot, 14 Oak Street, Russellton, submitted a petition from residents on Oak and Pine Streets requesting those streets be paved in the near future.
- Mr. George Preisser, 8 Oak Street, commented on the condition of the streets in the Russellton area and explained Oak and Pine Streets haven't been paved in years and requested the Board to add Oak and Pine Streets to the schedule. The Township has plans on patching the roads.

The County bridge was also discussed as a safety issue.

- Mrs. Joyce Romig, 30 Christonia Road, commented on the condition of Christonia Road. The Township has plans to patch the road.

Mrs. Romig also expressed her concerns with cars not stopping at the stop signs at the intersection of Christonia and Mountainview causing a dangerous situation. The Chief was asked to have the police patrol that area.

ACCEPT MINUTES:

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Guerre to accept the minutes of the September 17, 2014 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
September 30, 2014

I - GENERAL FUND:**Cash and Cash Equivalents:**

Sweep Account	\$ 969,331	
		\$ 969,331

II - SPECIAL REVENUE FUNDS**Cash and Cash Equivalents:****Street Light Fund:**

Sweep Account - Restricted	\$ 57,602	
----------------------------	-----------	--

Fire Tax Fund:

Sweep Account - Restricted	\$ 81,973	
----------------------------	-----------	--

State/Liquid Fuels Fund:

Sweep Account - Restricted	\$ 309,107	
		\$ 448,682

Investments:**Operating Reserve Fund:**

Sweep Account - Reserved	\$ 706,904	
--------------------------	------------	--

Capital Reserve Fund:

Sweep Account - Reserved	\$ 181,004	
		\$ 887,907

III - CAPITAL PROJECT FUNDS:**Cash and Cash Equivalents:****Route 910 II Waterline:**

Sweep Account - Restricted	\$ 87,862	
		\$ 87,862

TOTAL CASH BALANCE 9/30/14

	\$ 2,393,782
--	---------------------

Interest Earned September 2014

\$ 107

Mars National- VFC #3

8/31/2014
<u>Debt Balance</u>
\$ 31,165.70

September
<u>Principal</u>
<u>Payment</u>
\$ 1,799

9/30/2014
<u>Debt Balance</u>
\$ 29,439.53

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 DiSanti to approve the Finance Officer's Report as submitted. Motion carried unanimously 6-0.

LIST OF BILLS:

Air-Vac Inc.....	4220.00
Angelo's Roofing & Construction Inc.....	101658.00
Best Wholesale Tire Co., Inc.....	907.05
Breavo, LLC.....	6003.90
Brimmeier & Associates.....	928.80
Casmac Line Striping, Inc.....	982.00
Culverts, Inc.....	3400.00
Global Equipment Company.....	2080.00
Griffith, McCague & Wallace, PC.....	2653.80
Hei-Way, LLC.....	665.35
Jordan Tax Service, Inc.....	1604.68
Kress Tire.....	1599.68
Lindy Paving Inc.....	895.32
Office Depot.....	402.81
Russell Standard.....	77903.63
Shoup Engineering Inc.....	4558.00
Staley Communications.....	183.47
The Lane Construction Corporation.....	6131.23
Trib Total Media.....	1507.84
Tristani Brothers Inc.....	459.84

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

UTILITIES & PAYROLL:

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to pay utilities and payroll from October 16, 2014 to November 19, 2014. Motion carried unanimously 6-0.

POLICE CHIEF'S REPORT:

Chief Jon Lape was present and provided a summary report on the Police Department for the month of September 2014. Questions/comments followed. Copy of the report is on file at the Township.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER'S REPORT:

Mr. Bill Payne was present and provided a summary report on Code Enforcement for the month of September 2014. Questions/comments followed. Copy of the report is on file at the Township.

Mr. Vaerewyck commented on the proposed demolition list from August and questioned Mr. Payne. Supervisor Vaerewyck stated that a lot of the photos were taken from inside the buildings and questioned how he had access since they are private properties. Mr. Payne indicated he took photos through opened windows or opened doors. Mr. Vaerewyck challenged Mr. Payne and stated that the photographs were

clearly taken from inside the buildings. Mr. Payne rebutted that any photos from within any of the structures were taken only if the buildings were opened and unsecured.

Supervisor Vaerewyck then asked Mr. Payne if he is aware of the 4th Amendment and that as a government official Mr. Payne is not allowed to enter private property – Mr. Vaerewyck stated that officials are not even allowed to enter the porch areas and immediate areas around a property. Supervisor Vaerewyck immediately followed that question with another by asking Mr. Payne if he was aware that the Supreme Court ruled on this matter specifically for housing inspectors. Mr. Payne indicated he was not aware of that, but appreciated any information that helps him perform his duties.

At this time, Supervisor Vaerewyck moved onto another topic and asked Mr. Payne that – if Mr. Vaerewyck’s son had a game camera sitting in their basement about a month and a half ago – is there any possibility that Mr. Payne is on a picture on that camera? Mr. Payne asked Mr. Vaerewyck to clarify if Supervisor Vaerewyck meant his property. Mr. Vaerewyck confirmed Mr. Payne’s understanding. When Mr. Payne began to answer, Supervisor Vaerewyck interrupted and said “I think you may want to think hard about that question.” Mr. Payne asked Mr. Vaerewyck, “Whenever you invited me over?” Mr. Vaerewyck, stated “no, a week previous to that.” Mr. Payne indicated that he should not be in any such photo. At that point Mr. Vaerewyck indicated he’d like that specifically noted in the minutes.

Mr. Mator replied to Supervisor Vaerewyck’s line of questioning by stating that what Mr. Vaerewyck brought may be valid, that there is a time and place for such questioning. Mr. Mator stated that Supervisor Vaerewyck could have brought these concerns up earlier in the month, they could have been addressed, then Supervisor Vaerewyck could have alerted the public of his concerns at the meeting if he so chose. Mr. Vaerewyck replied that he is an elected supervisor and has the right to speak on public issues in a public forum.

PARKS & RECREATION BOARD REPORT:

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

- 2015 Budget submitted.
- West Deer Nightmare/October 3rd thru October 30th at Bairdford Park.
- October 25/Halloween Party @ East Union Community Center.

ENGINEER’S REPORT:

The Board received the Engineer’s Report submitted by Shoup Engineering, Inc. Mr. Scott Shoup represented Shoup Engineering, Inc., and summarized his meeting attendance and details of his formal report:

- 2015 Road Paving Project
- 2014 Road Improvement Project
- Township Building Renovation Project
- Senior Center Roof Replacement Project
- Development/Subdivision Reviews

BREYAK & KUTCHKO REVISED PLAN OF LOTS:

The Planning Commission approved the Breyak & Kutchko Revised Plan of Lots at their September 25, 2014 meeting. Said plan is a 3-lot subdivision located at 999 Route 910 in the SU Special Use Zoning District.

The Plan is to subdivide the property (approximately 44 acres) into three (3) parcels.

- Lot 1-A to measure 10.1481 acres
- Lot 1-B to measure 18.7525 acres

- Lot 1-C to measure 12.7875 acres

Lot 1-A Proposed Use will be a garden center/nursery.

The Planning Commission recommended approval.

As per the review letter from Shoup Engineering dated October 8, 2014, a Sewage Facilities Planning Module should be submitted to the Township.

After some questions, MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to approve the Breyak & Kutcho Revised Plan of Lots as per the recommendation by the Planning Commission and a Sewage Facilities Planning Module be submitted to the Township as per Shoup Engineering's review letter. Motion carried unanimously 6-0.

BUDGET ADVERTISEMENTS:

ADVERTISEMENT DATE: October 29, 2014

The West Deer Township Board of Supervisors will hold a Budget workshop meeting at 7:00 p.m. to discuss the preliminary 2015 Budget on November 5, 2014 at the Township Building located at 109 East Union Road, Cheswick, PA 15024. Members of the public are welcome to attend.

Daniel J. Mator, Jr., Township Manager

ADVERTISEMENT DATE: November 12, 2014

The West Deer Township Board of Supervisors will hold a Budget workshop meeting immediately following their regular business meeting to discuss the preliminary 2015 Budget on November 19, 2014. Members of the public are welcome to attend.

The proposed 2015 Budget will be on public display from November 26, 2014 through December 17, 2014 during regular business hours.

The Board will consider the adoption of the 2015 Budget on December 17, 2014 at 7:30 p.m.

Members of the public are welcome.

The workshop meeting, adoption vote, and the public inspection will be held at the Township Building located at 109 East Union Road, Cheswick, PA 15024. Daniel J. Mator, Jr., Township Manager

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Guerre to authorize the advertisements for the 2015 Budget in compliance with the Township Charter. Motion carried unanimously 6-0.

ORDINANCE/HOLDING CELL POLICY:

The Board received a copy of the Holding Cell Policy Ordinance.

AN ORDINANCE ADOPTING SECTION 76 (HOLDING FACILITY AND TEMPORARY DETENTION AREA) TO THE POLICY AND PROCEDURES MANUAL OF THE WEST DEER TOWNSHIP POLICE DEPARTMENT AS PROMULGATED BY THE CHIEF OF POLICE.

After some comments from Mr. Vaerewyck, MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to authorize the advertisement of the Holding Cell Policy Ordinance to be considered by the Board at their November 19, 2014 meeting. Motion carried unanimously 6-0.

PLATE COMPACTOR/PUBLIC WORKS DEPT:

The Township received the following three (3) quotes for a plate compactor for the Public Works Department:

Name:	Price:
1) Walsh Equipment	\$3,625.00
2) North East Attachment & Track	\$3,821.00
3) Groff Tractor & Equipment	\$8,048.86

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Vaerewyck to award the contract to Walsh Equipment in the amount of \$3,625.00 for the purchase of the plate compactor for the Public Works Department. At this time the Board discussed the bids and after further discussion, Supervisor DiSanti rescinded his Motion and Supervisor Vaerewyck rescinded his Second.

MOTION BY Supervisor McManus and SECONDED BY Supervisor Adamik to Table until next meeting to verify exactly what the Township is buying. Motion carried unanimously 6-0.

REIMBURSEMENT REPORT:

At the August meeting, Mr. McManus stated that the Supervisors should be given a report of all reimbursements by Mrs. Nardis.

At the September meeting, Mr. Guerre requested that the matter be put before the Board as a whole. Mr. Guerre felt the Board should vote on it.

Mr. Vaerewyck stated that he feels the Board doesn't need copies of all of the checks but just a listing of the checks.

Mr. McManus stated that he feels just a list of the reimbursements is necessary, and that the Board is supposed to vote on every cent spent.

Discussion was held on line items, checks issued per month, monthly bills/invoices, audits, etc.

Dr. DiSanti reported that Mrs. Nardis' office is opened to any Supervisor on a daily basis. Dr. DiSanti stops to sign checks, reviews bills, reviews invoices, and on her behalf it would be a lot of work for her to reproduce copies of all of them.

Mrs. Nardis explained how everything is set up.

Much discussion was held.

After more discussion, MOTION BY Supervisor Guerre and SECONDED BY Supervisor DiSanti to *not* instruct the Township Manager to include a monthly reimbursement report along with the Finance Officer's report.

Mr. Adamik commented that any supervisor can stop in to review any items with Mrs. Nardis.

Mrs. Nardis explained the reimbursements that are done such as: car allowance, cell phone allowance, and training.

Mr. Mator pointed out that, when reimbursements are made, receipts and/or reimbursement forms are attached for when the auditors review them. The reimbursements are scrutinized, matched up, and cleared by the auditors. Mr. Mator then reiterated that a reimbursement is never made without a receipt and/or proof attached.

Chairman Fleming then asked the other supervisors if they had ever visited Mrs. Nardis and asked her to see anything. He stated that he felt Mrs. Nardis has always given him any information he has ever requested, and was easy to work with. She was always very helpful, so Mr. Fleming did not understand why the additional request was being made when others haven't even reached out to Mrs. Nardis first.

After further discussion, a roll call vote was taken. Members voting yes, Mr. Adamik, Dr. DiSanti, Mr. Guerre, and Mr. Fleming. Members voting no, Mr. Vaerewyck and Mr. McManus.
Motion carried 4 – yes and 2 – no.

RESOLUTION 2014-13: PENN DOT SUPPLEMENTAL AGREEMENT:

The Board received a copy of the PennDot Supplemental Agreement for the Winter Maintenance Agreement.

After some discussion, MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Guerre to authorize the acceptance of the Supplemental Agreement with Penn Dot. Motion carried unanimously 6-0.

ADVERTISEMENT/LABORER – DEPARTMENT OF PUBLIC WORKS:

The Board received a copy of the advertisement for a Laborer – Department of Public Works.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor McManus to authorize the advertisement for a Department of Public Works Laborer and to post it on the web site. Motion carried unanimously 6-0.

Mr. Vaerewyck questioned the Work Environment Section on Page 52 of the Job Description where it talks about performing the duties of this job and occasionally exposed to fumes/toxic chemicals. After some discussion, Mr. Happel, Township Solicitor, was directed to check into this Section and reword the paragraph. The Board agreed on the amendment.

SENIOR CENTER ROOF CHANGE ORDER NO. 2:

The Board received Change Order No. 2 for the repair for the Senior Center Roof Replacement Project. The additional payment to Angelo’s Roofing and Construction, Inc., will be \$18,581.00.

Mr. Shoup explained Change Order No. 1 was just for gutters and downspouts and Change Order No. 2 was for the wood work.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor DiSanti to accept Change Order No. 2 for the Senior Center Roof Replacement Project in the amount of \$18,581.00. Motion carried unanimously 6-0.

Payment will be transferred out of the Operating Reserve Fund.

COMMITTEE REPORTS:

The Committee Chairperson reported on their Committee updates:

- 1) Mr. Vaerewyck – Public Safety Committee
- 2) Mr. McManus – Planning, Zoning, & Code Enforcement Committee
- 3) Mr. Adamik – Engineering & Public Works Committee
- 4) Mr. Guerre – Financial Legal, and Human Resources Committee
- 5) Mr. Florentine – ABSENT/Housing Committee
- 6) Dr. DiSanti – Parks & Recreation Committee
- 7) Mr. Fleming – Economic Development Committee

OLD BUSINESS:

None.

NEW BUSINESS:

None.

SET AGENDA – Regular Business Meeting

November 19, 2014

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. Police Chief's Report
10. Building Inspector/Code Enforcement Officer's Report
11. Report from the Parks & Recreation Board
12. Engineer's Report
13. Ordinance/Holding Cell Policy
14. Portable Police Radios
15. Committee Reports
16. Old Business
17. New Business
18. Set Agenda/December 17, 2014
19. Comments from the Public
20. Adjournment

Items Added:

*Plate Compactor

*Amendment to Bill Authorization

*Culvert Purchase

*Grubbs Road Easement

*COG Report

TWO 2015 PUBLIC BUDGET WORKSHOP MEETINGS WILL OCCUR THIS YEAR:

1) NOVEMBER 5TH AT 7:00 P.M.

2) IMMEDIATELY FOLLOWING THE REGULAR MEETING OF NOVEMBER 19TH.

ANNOUNCEMENT:

West Deer Township's Trick or Treat night will be held Friday, October 31st from 6 pm to 8 pm.

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.

ADJOURNMENT:

MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to adjourn the meeting at 9:11 p.m. Motion carried unanimously 6-0. Meeting adjourned.

Daniel J. Mator, Jr., Township Manager