

West Deer Township
Board of Supervisors
April 15, 2015
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; Lawrence K. McManus; and Gerry Vaerewyck. Members absent: Rick Florentine and Leonard Guerre. Also present were: Daniel J. Mator, Jr., Township Manager; Barbara Nardis, Finance Officer; Douglas Happel, Township Solicitor; and Scott Shoup, representing Shoup Engineering, Inc.

7:15 P.M. – PUBLIC HEARING – CONDITIONAL USE – CROSS ROADS REVISED PLAN – LOT 102:

- Chairman Fleming opened the public hearing.
- Pledge of Allegiance
- Roll call taken by Mr. Mator – Quorum present.
- The public hearing was advertised in compliance with the law.
- Property posted.
- Adjoining property owners notified via mail.

The public hearing is for a conditional use for David Turner who is requesting to construct three (3) warehouse units on 5.219 acres located at Middle Road Ext. and Oak Road (behind Crossroads building on Route 910). Lot/Block #1508-R-85. Property is zoned SU/Special Use.

Building 1 = 5,000 sq. ft.
Building 2 = 10,000 sq. ft.
Building 3 = 10,350 sq. ft.

The Board received the review letter from Shoup Engineering dated February 25, 2015. The following comments should be considered:

1) The use of warehousing in the SU Zoning District is a conditional use and is subject to standards for conditional uses found in Code Section 23.4.50.

2) Traffic Impact fees will need to be paid at the time of building permit issuance. Based on warehousing, the traffic impact fees would be as follows:

Building 1 -- 5,000 sq. ft. -- \$ 537.60
Building 2 -- 10,000 sq. ft. -- \$ 1,075.20
Building 3 -- 10,350 sq. ft. -- \$ 1,112.83

3) A General NPDES Permit will be required from the Allegheny County Conservation District prior to the initiation of any earthwork.

4) A highway occupancy permit must be obtained from Allegheny County for the site's driveway.

The Planning Commission approved the conditional use at their February 26, 2015 meeting subject to the items stated in the Engineer review letter dated February 25, 2015 be finalized and the Board of Supervisors conduct a public meeting for the conditional use.

At this point, the floor was opened for public comment. Chairman Fleming asked all those who are interested in speaking this evening, to please rise to be sworn in.

Mr. John Ippolito, adjoining property owner was present and indicated he has no problem with the buildings; however, he did have a concern with the driveway being located on Middle Road Extension and doesn't believe Middle Road Extension can accept that type of traffic and feels the driveway would be better located on Oak Road.

Mr. Shoup explained the proposed driveway on Middle Road Extension will be located approximately less than a ¼ of a mile off of Route 910 and would be required to get a permit from Allegheny County for the driveway. A discussion was held on the traffic concerns and Mr. Ippolito was informed that Allegheny County will have to give the approval for the driveway permit and it is one of the conditions listed (Condition #4).

The property owner was notified of the meeting but was not present.

After some questions/discussion, MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to approve the Cross Roads Revised Plan – Lot 102 Conditional Use as per the recommendation by the Planning Commission subject to the following conditions:

1) The use of warehousing in the SU Zoning District is a conditional use and is subject to standards for conditional uses found in Code Section 23.4.50.

2) Traffic Impact fees will need to be paid at the time of building permit issuance. Based on warehousing, the traffic impact fees would be as follows:

Building 1 -- 5,000 sq. ft. --	\$ 537.60
Building 2 – 10,000 sq. ft. --	\$ 1,075.20
Building 3 – 10,350 sq. ft. --	\$ 1,112.83

3) A General NPDES Permit will be required from the Allegheny County Conservation District prior to the initiation of any earthwork.

4) A highway occupancy permit must be obtained from Allegheny County for the site's driveway.

Motion carried unanimously 5-0.

ADJOURNMENT/PUBLIC HEARING:

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to adjourn the public hearing at 7:35 p.m. Motion carried unanimously 5-0. Public hearing adjourned.

OPEN REGULAR MEETING:

Chairman Fleming opened and welcomed everyone to the meeting.

PLEDGE OF ALLEGIANCE

Chairman Fleming announced the Board held an Executive Session to discuss personnel issues and money issues in regard to taxes.

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

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.

- Mr. Brian Koble, 3432 Cedar Glen Drive, addressed the Board on the storm sewer infrastructure that failed behind his house and the concrete structure that fell into the ravine behind his house. The Township did a temporary fix and it is still unresolved and expressed his concerns that it is a dangerous situation where the erosion is approaching his backyard. The Township will check on this area.

ACCEPT MINUTES:

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Vaerewyck to accept the minutes of the March 18, 2015 meeting as presented. 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
March 31, 2015

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

Sweep Account	\$ 249,904	
		\$ 249,904

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

Sweep Account - Restricted	\$ 21,214	
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Fire Tax Fund:

Sweep Account - Restricted	\$ 10,461	
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State/Liquid Fuels Fund:

Sweep Account - Restricted	\$ 349,987	
		\$ 381,663

Investments:

Operating Reserve Fund:

Sweep Account - Reserved \$ 399,846

Capital Reserve Fund:

Sweep Account - Reserved \$ 496,685

\$ 896,531

III - CAPITAL PROJECT FUNDS:

Cash and Cash Equivalents:

Route 910 II Waterline:

Sweep Account - Restricted \$ 91,832

\$ 91,832

TOTAL CASH BALANCE 3/31/15

\$ 1,619,930

Interest Earned March 2015

\$ 53

	2/28/2015	March	3/31/2015
	<u>Debt Balance</u>	<u>Principal Payment</u>	<u>Debt Balance</u>
Mars National- VFC #3	\$ 20,787.85	\$ 1,799	\$ 19,054.79

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

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

MOTION BY Supervisor Vaerewyck 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.....	2,060.92
Beth's Barricades	300.00
Culverts, Inc	5280.00
Faro Technologies, Inc.	1606.00
Griffith, McCague & Wallace, PC	2641.00
Hampton Concrete Products Inc.....	85.00
Hei-Way, LLC.....	4108.47
Jordan Tax Service, Inc.	3365.84
Kress Tire	575.54
Office Depot	329.21
Shoup Engineering, Inc.	5174.13
Trib Total Media	1990.48
Tristani Brothers, Inc.....	2404.31
Walsh Equipment	4772.00
Wine Concrete Products, In c.....	2499.90

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to pay the List of Bills as submitted, and all approved reimbursable items in compliance with generally accepted accounting practices. Motion carried unanimously 5-0.

UTILITIES & PAYROLL:

MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to pay utilities and payroll from April 16, 2015 to May 20, 2015. Motion carried unanimously 5-0.

TAX REFUNDS:

The Board is in receipt of lists from the Tax Collector requesting the issuance of tax refunds due to assessment changes by Allegheny County for years 2013 and 2014.

2013 REAL ESTATE TAX REFUNDS:

NAME:	LOT/BLOCK	AMOUNT:
Innwood Mariposa LLC	1359-D-201	\$82.80
Innwood Mariposa LLC	1359-D-381	\$12.68
Dialoiso, Felix A & Patricia Ann	1360-M-82	\$77.62
Henerson, Bruce	1668-H-391	\$55.78
Yokel, Robert G & Kristi A	2008-L-93	\$82.30
Kleiner, Cynthia D	2012-H-310	\$80.40

2014 REAL ESTATE TAX REFUNDS:

NAME:	LOT/BLOCK	AMOUNT:
Dialoiso, Felix A & Patricia Ann	1360-M-82	\$77.62
Fite, David P & Denise Lewis	2011-A-326-1532	\$24.19
Henderson, Bruce	1668-H-319	\$55.77
McCoy, James F Jr & Heather L	1510-D-16	\$ 8.78
Shelestak, Pauline M	1668-H-301	\$40.17
Shelestak, Pauline M	1668-H-349	\$45.25
Snair, Kimberly Ann & Justin	1672-N-261	\$91.46
Sutter, Michael A & Cynthia L	1214-E-349	\$112.33
Yokel, Robert G & Kristi A	2008-L-93	\$82.30
Innwood Mariposa LLC	1359-D-201	\$48.95
Innwood Mariposa LLC	1359-D-381	\$24.96

MOTION BY Supervisor McManus and SECONDED BY Supervisor Adamik to issue the tax refunds as submitted by the Tax Collector. Motion carried unanimously 5-0.

POLICE CHIEF'S REPORT:

Chief Lape was present and provided a summary report on the Police Department for the month of March 2015. 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 March 2015. Questions/comments followed. Copy of the report is on file at the Township.

PARKS & RECREATION BOARD REPORT:

Mrs. Beverly Jordan, Chairwoman, was present and reported on the Parks & Recreation Board:

- Easter Egg Hunt
- May 17th/Fishing Day at Deer Lakes Park

- Clean-Up Day will be discussed at their next week's meeting.
- Lock fixed at the shed.
- Deer Lakes Youth Football/cut grass
- Community Days

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 Improvement and Road Maintenance Projects
- Clendenning Road Culvert Replacement
- Development/Subdivision Reviews:
 - 1) David Turner Site Plan – April 10, 2015
 - 2) Bayne – Eiler Plan – March 24, 2015
 - 3) Eiler Fitness Center – March 25, 2015

EILER FITNESS CENTER SITE PLAN:

The Planning Commission approved the Eiler Fitness Center Site Plan at their March 26, 2015 meeting. The site plan is to construct a 100 ft. x 100 ft. one-story building for a sports performance and training facility. Property located on Gibsonia Road (Route 910) in the SU Special Use Zoning District. Lot & Block #1358-J-369 and part of 1358-J-371-0001.

On March 19, 2015 the Zoning Hearing Board granted variances for front/side yard setback, a decrease in front yard landscaping, and a front yard setback for parking. The Planning Commission recommended approval subject to the items outlined in the Engineer review letter dated March 25, 2015 be addressed. The Board also received the review letter dated April 6, 2015 from Mr. Shoup indicating he reviewed the plan and the following comments should be considered:

1. A PADOT Highway Occupancy Permit will be required for the site's driveway.
2. A traffic impact fee of \$7,896.00 will be assessed to the project and must be paid prior to building permit issuance.

Mr. Matthew Schmidt, representing Hampton Technical Associates, was present on behalf of the Eiler Plan and commented on the site plan and answered questions from the Board.

MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to approve the Eiler Fitness Center Site Plan as per the Planning Commission's recommendation and subject to the above-listed items stated in Mr. Shoup's review letter dated April 6, 2015. Motion carried unanimously 5-0.

SET PUBLIC HEARING/CONDITIONAL USE/FORBES:

APPLICANT/OWNERS: Brandon & Ariel Forbes
 LOCATION: 997 Deer Creek Road, Gibsonia, PA 15044
 10.17 acre farm
 ZONING DISTRICT: R – Rural Estate
 REQUEST: To utilize the existing barn as a Place of Assembly pursuant to West Deer Township Zoning Ordinance 23.4.32. The barn would be available for special events, primary focus on wedding ceremonies and receptions.

The conditional use will be reviewed by the Planning Commission at their April 23, 2015 meeting.

The Board will need to set a public hearing for the conditional use.

MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to set the public hearing for the conditional use for Brandon & Ariel Forbes for: Wednesday, May 20, 2015 at 7:00 p.m.
Motion carried unanimously 5-0.

RESIGNATION/PARKS & RECREATION BOARD:

The Board is in receipt of a resignation letter from Sandi Hazlett as a member of the Parks & Recreation Board.

MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to accept the resignation of Sandi Hazlett as a member of the West Deer Parks & Recreation Board and wish her the best of luck and thank her for her volunteer work in the Township. Motion carried unanimously 5-0.

PUBLIC WORKS BUILDING/BIDS:

Mr. Adamik reported he is obtaining bids to finish the siding on the Public Works building and asked to move this item to the next meeting. A Public Works Committee meeting will also be scheduled to discuss the proposed bids and other issues. The roof and the gutters are still in need of repair/replacement.

SCHOOL RESOURCE OFFICER AGREEMENT/DL SCHOOL DISTRICT:

The Board received a copy of the “Addendum to the Memorandum of Understanding” between the Deer Lakes School District and West Deer Township for the School Resource Officer for the next four (4) Deer Lakes School Years.
(2015-2016), (2016-2017), (2017-2018), and (2018-2019).

Chief Lape explained the program and the reimbursements by the School for the School Resource Officer/hourly rate, Medicare, Social Security, and medical/health care. The School Board will take action on the Agreement at their May meeting.

After some discussion, MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Vaerewyck to approve the Addendum to the Memorandum of Understanding Agreement with the Deer Lakes School District. Motion carried unanimously 5-0.

RESOLUTION NO. 2015-4/VACANT PROPERTY:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF WEST DEER ACKNOWLEDGING THAT THE ACQUISITION AND SUBSEQUENT DISPOSITION OF ONE PARCEL WITH LOT AND BLOCK NUMBER; 1511-N-246 WOULD BE IN ACCORDANCE WITH THE COMPREHENSIVE PLAN OF THE MUNICIPALITY.

Property Location – Ramsey Road, Cheswick, PA 15024

Mr. Payne explained the vacant property and the two (2) adjoining neighbors are purchasing the property jointly as one parcel.

After some discussion, MOTION BY Supervisor McManus and SECONDED BY Supervisor DiSanti to adopt Resolution No. 2015-4 acknowledging that the acquisition and subsequent disposition of one parcel with Lot and Block number 1511-N-246 would be in accordance with the Comprehensive Plan of the municipality. Motion carried unanimously 5-0.

NIKE SITE SEWER LINE PROJECT:

The Township has been working with the Deer Creek Drainage Basin Authority to extend a sewer line to the Nike Site. Because of an extension of the line back to the silo area – and other unforeseen circumstances – the cost of the project has increased. The DCDBA has therefore increased their contribution to the project and has asked that the Township do the same.

At this time Mr. Mator read the Township's position regarding the additional contribution toward the Nike Site Sewer Line Project:

1. Manhole 11 must be a manhole, not a lamphole.
2. If the authority extends the line to Manhole 12, the committee will recommend the full contribution of \$141,337 as requested.
3. If the authority terminates the line at Manhole 11, however, they said they are recommending a lesser contribution of \$135,000. Their argument is that the elimination of Manhole 12 and the line between 11 and 12 should save the authority at least \$8,500.

The Sewage Authority however objected to Item #4:

4. They also stated that the Township's contribution is to be capped at the \$141,337. If there are additional costs or change orders, the Township's contribution will remain the same.

The DCDBA recommended all of these except for #4. They stated they would agree to split any additional costs (or savings) 50-50.

The Board discussed the Nike Site Sewer Line Project and the additional costs. Mr. Vaerewyck commented on the dramatic increase of what was planned, and added that sewer line contracting was discussed at the Conference at Seven Springs and that this project was not administrated properly. Mr. Mator explained and summarized the circumstances of the project. The original Township contribution was approximately \$90,000 and since then two items arose:

- 1) The original plan was to terminate the line at a manhole along Route 910 and not extend it back to the football fields. The additional cost to extend the lines the full distance to the silo area of the Nike Site would then cost an additional \$26,000.
- 2) The Deer Creek Drainage Basin Authority did not get the right of ways prior to bidding the project out, and one property owner had no interest in negotiating with the DCDBA to obtain those rights. Since the sewage authority had to modify their plans and move the right of way from the owner's property into the roadway, they had to obtain a roadway permit from PennDOT and also incur additional costs excavating and restoring the road.

Mr. Vaerewyck indicated he objected to the plan and that the DCDBA had the option of condemning the property and taking it under eminent domain in the interest of the community, but did not because the property is owned by an influential family. Mr. Mator corrected Mr. Vaerewyck. The reason behind not condemning the property was that the influential family includes a seated judge and, therefore, the family would likely litigate the matter. The litigation would take months or years, the Township would not meet its October 31, 2015 deadline, and would lose the \$200,000 grant paying for the project.

Further discussion was held by the Board members and Chairman Fleming then advised that we need to get the work done and move on with this project.

MOTION BY Supervisor DiSanti to authorize the increased total contribution toward the Nike Site Sewer Line Project in an amount not to exceed \$141,337. A discussion was held on the motion and the additional

cost, if any on the project. More discussion/comments took place. Supervisor DiSanti withdrew his motion.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to authorize the increased total contribution toward the Nike Site Sewer Line Project in an amount of \$141,337 with any additional change orders to be first approved by the Board of Supervisors. Motion carried unanimously 5-0.

CONSOLIDATED CABLE FRANCHISE AGREEMENT:

West Deer Township has a cable franchise agreement with Consolidated Communications which expires February 2016. There are nine municipalities in the North Hills COG who have the same agreement in place. The COG has therefore worked with the Cohen Law Group to present a bid for their specialized services.

The Board received copies of the Cohen Law Group proposal and a cost breakdown.

After two meetings of the municipalities, it was decided that we would recommend our respective boards enter into an agreement with the Cohen Law Group for: A basic cable franchise negotiation, Option 1 (system upgrade), and Option 3 (drafting of documents).

Mr. Mator explained the cable franchises in the Township and the expiration of the Consolidated Cable Franchise Agreement. Cohen Law Group will negotiate the options for the Township.

MOTION BY Supervisor McManus and SECONDED BY Supervisor Vaerewyck to enter into an agreement with the Cohen Law Group to negotiate the Township's cable franchise agreement with Consolidated Communications – including Options #1 and #3 – at a cost not to exceed \$12,915.38. Motion carried unanimously 5-0.

COG REPORT:

Chairman Fleming reported on the COG meeting:

- No report/no meeting.

COMMITTEE REPORTS:

The Committee Chairperson reported on their Committee updates:

- 1) Mr. Adamik – Engineering & Public Works Committee
- 2) Dr. DiSanti – Financial Legal, and Human Resources Committee
- 3) Mr. Vaerewyck – Public Safety Committee

The Representatives reported updates:

- 1) Mr. Vaerewyck – Economic Development Representative
- 2) Mr. Florentine – Housing Representative
- 3) Mr. McManus – Parks & Recreation Representative

ANNOUNCEMENTS:

- 1) Clean Up Day -- May 9th/Rain Date will be May 16th
Arrival at the Municipal Building at 9:00 a.m. for a 10 a.m. start time.

2) Rabies Clinic –West Deer Dog Shelter, May 23, 2015
2:00 p.m. to 4:00 p.m. Cost of shot \$10.00/animal

3) West Deer Township Police 4th Annual Benefit Golf Scramble – Benefits the West Deer Police K-9 Unit on May 8th at Pheasant Ridge Golf Course.

4) Hard-To-Recycle Collection Event – Including Televisions
Saturday, April 25, 2015 -- Time: 9:00 a.m. to 1:00 p.m.
Pittsburgh Mills Mall Parking Lot

OLD BUSINESS:

- The Board discussed the cost involved for the upkeep of the 2007 police car (maintenance, insurance, repairs, gasoline, etc.) and agreed to advertise the sale of the vehicle.
- Mr. Mator commented on working with County Councilman Ed Kress for repairing the second half of Bairdford Road. Also discussed were other County roads in West Deer: Middle Road, Middle Road Extension, and Millerstown-Culmerville Road.

NEW BUSINESS:

None.

SET AGENDA – Regular Business Meeting

May 20, 2015

6:30 p.m. – Executive Session

7:00 p.m. – Public Hearing/Conditional Use - Forbes

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
 - D. Tax Refunds
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. Old Business
14. New Business
15. Set Agenda/June 17, 2015
16. Comments from the Public
17. Adjournment

Items added:

*Public Works Garage
*Police Cruiser Sale

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.

- Paul Sciallo, Boy Scout, was present at the meeting to earn his merit badge.

ADJOURNMENT:

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor McManus to adjourn the meeting at 9:10 p.m. Motion carried unanimously 5-0. Meeting adjourned.

Daniel J. Mator, Jr., Township Manager