

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; Richard W. DiSanti, Jr., Leonard Guerre, Shirley Hollibaugh, Joyce A. Romig and Gerry Vaerewyck. Member absent: Rick W. Florentine. Also present were: Daniel J. Mator, Jr., Township Manager; Barbara Nardis, Finance Officer; Douglas Happel, representing Griffith, McCague, & Wallace; and Eric Gazdik, representing Shoup Engineering.

Chairman Fleming opened and welcomed everyone to the meeting.

PLEDGE OF ALLEGIANCE

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

Mr. Happel announced the Board held an Executive Session at 5:30 p.m., to discuss employee matters and union negotiations.

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. Michael Manning, representing Core Athletics was present and updated the Board in regard to the complaints received over the past couple of months regarding the American Legion ballfield. Mr. Manning reported a protective fence was installed (30' high and 80' long), and that they are still working on a backstop with the possibility of enclosing the top. He indicated no games have been played since July and games will restart next April through July for baseball players within an age-range of eight and twenty-four.

Questions/discussion followed.

AUDITOR'S REPORT

The Township Auditor, Mr. Mark Turnley, CPA, was present and reported on the 2015 Auditor's Report. A copy of the Report is on file at the Township office.

Mr. Turnley gave a favorable review of both the Township financial position and the cooperation shown by Township employees and officials.

Supervisor Vaerewyck again questioned the Township's use of a modified-accrual basis of accounting as opposed to a full-accrual basis of accounting. Mr. Turnley explained that whether to use one basis or another was purely a Board decision, but stated that the great majority of his clients use modified-accrual.

Mr. Turnley explained that implementing a full-accrual system would require a much greater cost in terms of time, expertise, and money, and added that full-accrual reporting is neither necessary nor required.

Mr. Mator elaborated by stating that the extra reporting would be nice, but that Mr. Turnley spoke on this issue in the past, and he recalled Mr. Turnley estimating an initial cost of around \$30,000 to implement to basis, and annual costs of at least \$60,000 to hire the expertise he mentioned earlier.

Mr. Turnley answered that the \$30,000 figure would probably be the maximum, and informed the Board that the “information is nice to have, but it is, again, costly.”

Mr. Vaerewyck asked Mr. Turnley about the “related party transactions” note in the Report, and asked him to clarify its inclusion, whether the staff had intentionally omitted the information, and the legality of the transaction. Mr. Turnley stated that his firm looks for transactions that involve relatives of board members or management transactions – in this case Mr. Mator – and said that they did not see anything similar to that in their evaluation. He added that it was brought to their attention that there was a transaction between a supervisor’s company and the Township, and he added that as a supplemental note.

Mr. Turnley stated that he felt there was no wrongdoing on the part of the staff, as he stated most of his clients do not provide similar documentation when the transaction was part of a bid process and/or was of a lesser amount. He also answered Supervisor Vaerewyck’s question of the legality of such a transaction by explaining that his firm does not look into the legality of such transactions, but that the solicitor was the person who could best answer that question.

Supervisor DiSanti commended Mr. Turnley on his presentation and asked him if there were new standards which required such an informative presentation. Mr. Turnley acknowledged that there were new standards.

Chairman Fleming thanked Mr. Turnley for his attendance and his presentation.

ACCEPT MINUTES

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Guerre to accept the minutes of the September 21, 2016 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, 2016

I - GENERAL FUND:

	<u>September</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues	466,079.89	4,889,163.30	83.49%
Expenditures	826,436.96	4,259,922.90	72.75%
 Cash and Cash Equivalents:			
Sweep Account		<u>844,891.09</u>	<u>844,891.09</u>

II - SPECIAL REVENUE FUNDS

Cash and Cash Equivalents:

Street Light Fund:

Sweep Account - Restricted 18,859.82

Fire Tax Fund:

Sweep Account - Restricted 120,848.07

State/Liquid Fuels Fund:

Sweep Account - Restricted 3,240.90

142,948.79

Investments:

Operating Reserve Fund:

Sweep Account - Reserved 575,938.99

Capital Reserve Fund:

Sweep Account - Reserved 346,285.80

922,224.79

III - CAPITAL PROJECT FUNDS:

Cash and Cash Equivalents:

0.00

0.00

TOTAL CASH BALANCE 09/30/16

1,910,064.67

Interest Earned September 2016

77.13

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

MOTION BY Supervisor Guerre and SECONDED BY Supervisor Hollibaugh to approve the Finance Officer's Report as submitted. Motion carried unanimously 6-0.

LIST OF BILLS

Air-Vac Inc.....	9960.00
Amerikohl Aggregates Inc.	1395.00
Amerikohl Transport Inc.	764.46
Beth's Barricades	50.00
Culverts, Inc.	3450.00
Galls LLC.....	412.41
Griffith, McCague & Wallace, PC	1149.50
Hampton Concrete Products Inc.....	1189.00
Jordan Tax Service, Inc.	2050.90
Kress Tire.....	573.72
Krigger & Co.....	57.09
North Eastern Uniforms & Equip Inc.....	732.84
North Hills COG	226.60
Office Depot.....	900.51
Shoup Engineering Inc.	2071.00
Staley Communications.....	183.47

The Lane Construction Corporation.....	100.34
Toshiba Financial Services.....	606.17
Trib Total Media	1573.80
Tristani Brothers Inc.....	519.26

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Guerre to pay the List of Bills as submitted, and all approved reimbursable items in compliance with generally accepted accounting practices. Motion carried unanimously 6-0.

UTILITIES & PAYROLL

MOTION BY Supervisor Guerre and SECONDED BY Supervisor DiSanti to pay utilities and payroll from 20 October 2016 to 16 November 2016. 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 2016. A copy of the report is on file at the Township. Questions/comments followed.

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 2016. A copy of the report is on file at the Township. Questions/comments followed.

PARKS AND RECREATION BOARD REPORT

No one was present – no report.

ENGINEER'S REPORT

The Board received the Engineer's Report submitted by Shoup Engineering, Inc. Mr. Erik Gazdik represented Shoup Engineering, Inc., and summarized the meeting attendance and details of their formal report:

DEVELOPMENTS/PROJECTS

- Nike Site Handicapped Walking Trails – Bid Documents, Specifications and Plans were prepared for this project. The project will partially use CDBG Grant Funds. Bids were opened on 22 September 2016 at the North Hills COG.
- Nike Site Earthwork – Bid Documents, Specifications and Plans were prepared for this project. The project will use GEDF Grant Funds. Bids for this project were opened on 29 September 2016.
- Benjamin Street Bridge Deck Replacement Project – Bid Documents, Specifications and Plans were prepared for this project and bids are scheduled to be opened 14 October 2016.
- Development/Subdivision Reviews
 - Banks Plan of Lots – Reviews of this Subdivision Plan were performed and review letters were issued to the Township on 22 September 2016 and 13 October 2016.

BANKS PLAN OF LOTS

The Planning Commission approved the Banks Plan of Lots at their 22 September 2016 meeting.

Location: 201 Spruce Street, Gibsonia, PA 15044

Zoned: R-4 Urban Residential District

Seeking approval for consolidation of Lot/Block 1668-R-248 into 1668-R-261:

- Lot 1 = 1.99 acres for a single family residence
- Residual parcel = 28.26 acres

The Planning Commission recommended approval of the Banks Plan of Lots contingent upon meeting the comments of the engineering review letter dated 22 September 2016 and the Allegheny County Economic Development review letter of 19 September 2016.

The Board received the review letter dated 13 October 2016 indicating the comments contained in Mr. Shoup's 22 September 2016 review letter have been addressed.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Hollibaugh to approve the Banks Plan of Lots as per the recommendation by the Planning Commission. Motion carried unanimously 6-0.

NIKE SITE PARK EARTHWORK PROJECT – GEDF #13-1-GEDF-008

Sealed bids were received and opened at 1:30 p.m. on 29 September 2016 for the Nike Site Park Earthwork Project – GEDF #13-1-GEDF-008.

Work consists of stripping of topsoil, bulk earthwork (balanced cut and fill), erosion control, redistribution of topsoil, landscaping and other miscellaneous work.

The following bids were received:

Bidders:	Bid Amount:
1) JH Excavating	\$ 58,475.00
2) John T. Subrick, Inc.	\$ 60,000.00
3) Naccarati Contracting Inc.	\$ 69,500.00
4) W M Aiken and Son	\$ 70,000.00
5) Martino	\$ 71,000.00
6) Shockey Excavating, Inc.	\$ 73,280.00
7) Custom Contracting	\$ 81,818.00
8) R & B Contracting & Excavation	\$ 85,000.00
9) Holbein, Inc.	\$104,757.00
10) Michael Facchiano Contracting, Inc.	\$116,700.00
11) Sample Development Corp.	\$136,200.00

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Hollibaugh to award the contract for the Nike Site Park Earthwork Project – GEDF #13-1-GEDF-008 to JH Excavating in the amount of \$58,475.00. Motion carried unanimously 6-0.

NIKE SITE HANDICAPPED RAMP PROJECT – CD 42 7.3 E

Sealed bids were received and opened at the North Hills Council of Governments office until 11:00 a.m. on 22 September 2016 for the Nike Site Handicap Ramp – CD 42 7.3 E.

PROJECT DESCRIPTION: Create Handicap Accessibility throughout West Deer's Nike Site Park through the use of asphalt pathways and ramps.

The following bids were received:

BIDDERS:	BID AMOUNT:
1) Satira Construction, Inc.	\$49,852.50
2) Bioni Contracting	\$58,225.00

The CDBG Grant was for \$25,218.00. Supervisor Vaerewyck questioned if the Township budgeted the funding for this project and he was concerned the Township only received two bids. Mr. Mator indicated the funds are available, between the line item allocation and the grant itself.

Mr. Vaerewyck also expressed concern that there were only two bidders, and asked if the Board could award the bid with only two bidders.

Mr. Mator responded that the Board could approve the bid, because the bids were attained through a formal bid process.

At this time, MOTION BY Supervisor Vaerewyck to reject all bids and put this out to rebid with the intent of getting at least three bids.

Chairman Fleming asked for clarification on what Mr. Vaerewyck was challenging, and asked whether the bid was advertised.

Mr. Mator replied that the bid was advertised in a newspaper of general circulation, and added that the Township has no control over whether or not people submit formal bids. He explained that the Township has even started adding such bids to its webpage in addition to the standard advertisement to promote bidding.

NO SECOND. Mr. Vaerewyck withdrew the motion.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Hollibaugh to award the contract to Satira Construction, Inc., for the Nike Site Handicap Ramp Project – CD 42 7.3 E, in the amount of \$49,852.50. A roll call vote was taken. Members voting yes, Dr. DiSanti, Mrs. Romig, Mr. Guerre, Mrs. Hollibaugh, and Mr. Fleming. Member voting no, Mr. Vaerewyck. Motion carried 5-yes and 1-no.

BENJAMIN STREET BRIDGE DECK REPLACEMENT PROJECT

Sealed bids were received and opened until 1:30 p.m. on 14 October 2016 for the Benjamin Street Bridge Deck Replacement Project:

Work consists of the demolition of and replacement of an existing concrete bridge deck and other miscellaneous work.

The following bids were received:

BIDDERS:	BID AMOUNT:
1) Bioni Drilling, Inc.	\$ 81,082.00
2) J5 Construction	\$ 93,000.00
3) Kukurin Contracting, Inc.	\$112,500.00
4) Gary Metzinger Cement Contracting, Inc.	\$113,000.00
5) Thornbury, Inc.	\$149,500.00
6) Carmen Paliotta Contracting, Inc.	\$157,000.00

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Guerre to award the contract for the Benjamin Street Bridge Deck Replacement Project to Bioni Drilling, Inc., in the amount of \$81,082.00. Motion carried unanimously 6-0.

BIDS RECEIVED/SOLID WASTE AND RECYCLABLE MATERIALS

Sealed bids were due and received on 30 September 2016 at 3:00 p.m. The bids were publicly opened and read at 3:15 p.m. at the Township Building.

The bid received was as follows:

<u>BIDDERS</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>OPTION YEARS</u>		
				<u>2020</u>	<u>2021</u>	<u>2022</u>
Morrow Refuse	\$16.00	\$16.50	\$17.00	\$17.00	\$17.50	\$18.00
Vogel Disposal	--	--	--	--	--	--

Supervisor Vaerewyck commented on receiving only one bid and stated he felt the Township is not doing a good job of advertising. Mr. Vaerewyck also commented that the Township received a letter from Vogel Disposal that indicated they did not receive the bid from their bidding company until after the pre-bid meeting, and felt Morrow’s bid should be rejected and for the Township to do a better job in advertising.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Romig to reject all bids. A roll call vote was taken. Members voting yes, Mr. Vaerewyck and Mrs. Romig. Members voting no, Mr. Guerre, Mrs. Hollibaugh, Dr. DiSanti, and Mr. Fleming. Motion fails 2-yes and 4-no.

MOTION BY Supervisor Guerre and SECONDED BY Supervisor Hollibaugh to award the contract for the Residential Solid Waste & Recyclable Materials to Morrow Refuse, Inc., beginning 1 January 2017 and ending 31 December 2019, with option years of 2020-2022. A roll call vote was taken. Members voting yes, Mr. Guerre, Mrs. Hollibaugh, Dr. DiSanti, and Mr. Fleming. Members voting no, Mr. Vaerewyck and Mrs. Romig. Motion carried 4-yes and 2-no.

POLICE UNION EARLY RETIREMENT SETTLEMENT AGREEMENT

Ordinance No. 412 regarding early retirement is on the agenda to be voted upon. In order for this ordinance to take effect and be used by Township police officers in Local No. 249, a settlement agreement must first be agreed upon by both parties.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Hollibaugh to enter into the settlement agreement with Teamsters Local No. 249 as presented. Motion carried unanimously 6-0.

ORDINANCE NO. 412: PENSION EARLY RETIREMENT PROVISION

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER RELATIVE TO THE ESTABLISHMENT AND MAINTENANCE OF EMPLOYEES PENSION, ANNUITY, INSURANCE AND BENEFIT FUND OR FUNDS, TO AMEND CERTAIN PROVISIONS OF THE PENSION PLAN OR PROGRAM APPLICABLE TO THE POLICE EMPLOYEES OF SAID TOWNSHIP.

MOTION BY Supervisor Romig and SECONDED BY Supervisor Hollibaugh to adopt Ordinance No. 412 amending certain provisions of the Police Pension Plan as stated within. Motion carried unanimously 6-0.

SALE OF PUBLIC WORKS TRUCK

Sealed bids were received and opened on 13 October 2016 at 2:00 p.m., for the 2008 GMC 5500, 5 ton dump truck with: 6.6 liter automatic transmission; 4x4; 9' angle plow & tailgate spreader; color/red; inspected until November 2016; 32,000 miles; and in as-is condition.

The following bids were received:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
1) Dan Loughlin	\$15,141.31
2) Pittsburgh Lawn Care	\$ 8,800.00

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Hollibaugh to award the sale of the 2008 GMC dump truck, as is condition, to Dan Loughlin in the amount of \$15,141.31. Motion carried unanimously 6-0.

PUBLIC WORKS GARAGE

Two quotes were received on the gutters at the Public Works garage.

Mr. Mator reported Mr. Florentine has been working on this project and since Mr. Florentine is absent, Mr. Mator requested to add this to next month's agenda.

DEMOLITION PROJECT

The Township received bids on 17 October 2016 at 9:00 a.m. for the following structures in the 2016 Demolition Project:

Priority #1 – 13 Crest Street
 Priority #2 – 1067 Dawson Road
 Alternative #1 – 359 W. 12th Avenue
 Alternative #2 – 512 State Route 908 Ext.

Amount Budgeted: \$10,000.00

Mr. Payne was present and indicated he contacted four demolition contractors the Township has used in the past: TA Gall Excavating, Haas Excavating, John Roncevich, and Vernon Frey Excavating. Only one bid was received.

Supervisor Vaerewyck asked if it was advertised in the newspaper and on the website. Mr. Payne stated he did not advertise, but indicated he called the contractors to obtain sealed quotes as had been done in the past for a specialized service.

Mr. Vaerewyck stated it should have been advertised, and again criticized the administration for receiving few bids as he had earlier.

In light of the amount of the total bid amount, Mr. Mator recommended to the Board and Mr. Payne that the Township advertise this project in the newspaper and on the website, but responded to Supervisor Vaerewyck's comment regarding few bids by reiterating that the Township has no control over the amount of bids it receives. He cited the example of the waste removal companies, and said that four companies had responded and bid the last time the agreement was up, but only three had contacted him this time with only one bidding. Mr. Mator explained that contractors are often busy and therefore not interested in bidding.

Supervisor Guerre commented that everyone would know what the low bid was if the Board rejects the contractor's bid, and that the contractor will then be underbid. Mr. Happel pointed out there is a concern when that happens, but because the overall amount is greater than \$5,000 he recommended advertising it based on the ordinance.

Mr. Happel therefore agreed with Mr. Mator and recommended the Board not accept the bid and instead advertise it.

The one bid received was by Haas Excavating & Demolition:

<u>Priority #1</u>	<u>Priority #2</u>	<u>Alternative #1</u>	<u>Alternative #2</u>
13 Crest St. \$6,500.00	1067 Dawson Rd \$800.00	359 W. 12 th Ave. \$4,200.00	512 State Rt. 908 Ext \$4,000.00

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Romig to reject this bid and put it out for proper bid according to our ordinance. A roll call vote was taken. Members voting yes, Mr. Vaerewyck and Mrs. Romig. Members voting no, Mr. Guerre, Mrs. Hollibaugh, Dr. DiSanti, and Mr. Fleming. Motion fails 2-yes and 4-no.

After further discussion, Mr. Happel pointed out and commented on the advertising of the demolition project advising the Board they should reject and advertise the project.

As per the advisement of the Township Solicitor, MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Romig to reject and advertise the 2016 Demolition Project. A roll call vote was taken. Members voting yes, Mr. Vaerewyck, Mrs. Romig, and Mr. Fleming. Members voting no, Mr. Guerre, Mrs. Hollibaugh, and Dr. DiSanti. Motion fails 3-yes and 3-no.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Romig to table. A roll call vote was taken. Members voting yes, Mr. Guerre, Mr. Vaerewyck, Dr. DiSanti, Mrs. Romig, and Mr. Fleming. Member voting no, Mrs. Hollibaugh. Motion carried to table 5-yes and 1-no.

After the vote was taken, Supervisor Vaerewyck criticized the supervisors for voting contrary to the solicitor's advice.

COMMITTEE REPORTS

The Committee Chairperson reported on their Committee updates:

- 1) Mr. Florentine – ABSENT-- Engineering & Public Works Committee
- 2) Dr. DiSanti – Financial Legal, and Human Resources Committee
- 3) Mr. Vaerewyck – EMS Oversight Committee
- 4) Mr. Vaerewyck – COG Report
- 5) Mrs. Hollibaugh – Reported on the COG dinner that she attended.

OLD BUSINESS

- Dr. DiSanti – Questioned on any updates on the Verizon cell tower – Nothing to date.
- Mr. Guerre – Questioned on any updates on the bridge at 910 – Nothing to date.
- Mr. Vaerewyck – Questioned on any updates on the Culmerville Bridge – Mid November.
- Mr. Happel – A new Rebecca Residence PILOT Agreement has been drafted – Agreement will be on the November agenda.

NEW BUSINESS

- Trick or Treat Night – Monday, 31 October 2016 – 6 pm to 8 pm.
- RETIREMENT – Sgt. Frank Huffman – the Board thanked Sgt. Huffman for his service and wished him good luck in his future.
- Chief Lape commented that a movie is being filmed in the Township the beginning of November called “Last Flag Flying”. They will be using the Church of the Nazarene and a possible residence near Fire Hall No. 2.
- Mrs. Hollibaugh suggested a plaque be given to Cullen Linkenheimer for his Eagle Scout badge for building the K-9 training area. The Board also discussed plaques for other Boy Scouts and Girl Scouts for their accomplishments. After some discussion, the Board agreed instead awarding individual plaques, to instead have a plaque in the meeting room and add names for volunteer accomplishments in the future. Chairman Fleming also recommended the scouts be present at the meeting when their name is added to the plaque.

SET AGENDA: REGULAR BUSINESS MEETING

16 November 2016

6:00 p.m. – Executive Session

6:30 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. Authorize Advertisement/Ordinance Administrative Policies & Procedures
14. CDBG Grant Application-Resolution/Nike Site Handicap Ramp Project
15. CDBG Grant Application-Resolution/Community Demolition Project
16. CDBG Grant Application-Resolution/Demolition Blighted Property
17. Committee Reports
18. Old Business
19. New Business
20. Set Agenda/December 21, 2016
21. Comments from the Public
22. Adjournment

Two – 2017 Public Budget Workshop Meetings will occur this year:

1) November 2nd at 6:30 p.m.

2) Immediately following the Regular Business Meeting of November 16th.

Items Added:

*Public Works Garage

*Demolition Project

*Rebecca Residence PILOT Agreement

COMMENTS FROM THE PUBLIC

- None.

EXECUTIVE SESSION

Chairman Fleming announced the Board will hold an Executive Session to discuss employee's salaries.

ADJOURNMENT

Meeting adjourned.

Daniel J. Mator, Jr., Township Manager