

West Deer Township  
Board of Supervisors  
18 July 2018  
7:00 p.m.

The West Deer Township Board of Supervisors held their Regular Meeting at the West Deer Township Municipal Building. Members present: Shirley Hollibaugh, Chairwoman; Richard W. DiSanti, Jr.; Beverly Jordan; Arlind Karpuzi; Shawn Maudhuit; Joyce A. Romig; and Gerry Vaerewyck. Also present were: Daniel J. Mator, Jr., Township Manager; Barbara Nardis, Finance Officer; Douglas Happel, representing Griffith, McCague, & Wallace; and Scott Shoup, representing Shoup Engineering.

#### PLEDGE OF ALLEGIANCE

Chairwoman Hollibaugh opened and welcomed everyone to the meeting.

Roll Call taken by Mr. Mator – Quorum present.

Mr. Happel announced the Board held an Executive Session at 6:30 p.m. to discuss two matters for potential litigation and an employee matter.

#### **REGISTERED COMMENTS FROM THE PUBLIC**

- None

#### **COMMENTS FROM THE PUBLIC**

- None

#### **ACCEPT MINUTES**

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Karpuzi to accept the minutes of the June 20, 2018 meeting as presented. A roll call vote was taken. Members voting yes, Mrs. Jordan, Mr. Karpuzi, Mr. Maudhuit, Mr. Vaerewyck, Dr. DiSanti, and Mrs. Hollibaugh. Member abstaining, Mrs. Romig (absent at meeting). Motion carried, 6-yes, 0-no, and 1-abstention.

#### **MONTHLY FINANCIAL REPORT**

Mrs. Nardis read the following Finance Officer's Report:

**TOWNSHIP OF WEST DEER**  
**FINANCE OFFICER'S REPORT**  
**30 June 2018**

**I - GENERAL FUND:**

	<b><u>June</u></b>	<b><u>YTD</u></b>	<b><u>% of Budget</u></b>
<b>Revenues</b>	348,017.99	3,719,226.78	63.90%
<b>Expenditures</b>	452,252.45	2,113,906.14	36.32%

**Cash and Cash Equivalents:**

Sweep Account	1,871,746.33	<b><u>1,871,746.33</u></b>
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**II - SPECIAL REVENUE FUNDS****Cash and Cash Equivalents:****Street Light Fund:**

Sweep Account - Restricted	29,171.91
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**Fire Tax Fund:**

Sweep Account - Restricted	102,921.88
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**State/Liquid Fuels Fund:**

Sweep Account - Restricted	427,216.25
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**559,310.04**

**Investments:****Operating Reserve Fund:**

Sweep Account - Reserved	806,095.20
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**Capital Reserve Fund:**

Sweep Account - Reserved	349,751.23
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**1,155,846.43**

**III - CAPITAL PROJECT FUNDS:****Cash and Cash Equivalents:**

0.00
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**0.00**

**TOTAL CASH BALANCE 06/30/18**

**3,586,902.80**

**Interest Earned June 2018**

**743.54**

	<b><u>06/1/2018</u></b>	<b><u>June</u></b>	<b><u>06/30/2018</u></b>
	<b><u>Debt Balance</u></b>	<b><u>Principal</u></b>	<b><u>Debt Balance</u></b>
		<b><u>Payment</u></b>	
<b>Mars National - VFC #3</b>	\$236,512.13	\$2,607.94	\$234,471.08
<b>NexTier Bank VFC #2</b>	\$448,725.28	\$2,680.96	\$447,492.66

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Karpuzi to approve the Finance Officer's Report as submitted. Motion carried unanimously 7-0.

**LIST OF BILLS**

Allegiance Technology Partners.....	10633.31
Amerikohl Aggregates Inc.....	5840.96
Amerikohl Transport Inc. ....	4957.64
Axon Enterprises, Inc. ....	5372.88
Best Wholesale Tire Co., Inc.....	545.60
Culverts, Inc. ....	3560.00
Griffith, McCague & Happel, PC.....	1719.50
Hei-Way, LLC.....	843.98
Jet Jack, Inc. ....	47875.05
Jordan Tax Service, Inc. ....	1387.23
Kress Tire .....	650.00
Lindy Paving Inc. ....	1295.85
Mark C. Turnley .....	2850.00
North Eastern Uniforms & Equip Inc.....	1812.28
Office Depot .....	327.75
Shoup Engineering Inc. ....	5053.35
Staley Communications.....	194.97
The Lane Construction Corporation.....	792.14
Toshiba Financial Services.....	531.08
Tristani Brothers, Inc.....	4774.56
Wine Concrete Products, Inc. ....	2550.00

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Romig to pay the List of Bills as submitted, and all approved reimbursable items in compliance with generally accepted accounting practices. Motion carried unanimously 7-0.

**TAX REFUNDS**

The Board is in receipt of the list from the Tax Collector requesting the issuance of real estate tax refunds due to assessment changes by Allegheny County for the years 2017 and 2018.

**2017 REAL ESTATE TAX REFUNDS**

<u>NAME</u>	<u>LOT/BLOCK</u>	<u>AMOUNT</u>
Brawner, William F. & Jayme	2195-M-284	\$282.19
Tibensky, Joseph E.	1357-G-30	\$698.17

**2018 REAL ESTATE TAX REFUNDS**

<u>NAME</u>	<u>LOT/BLOCK</u>	<u>AMOUNT</u>
Stark, Patrick D. & Amy D.	2197-R-146	\$ 85.56
Tibensky, Joseph E.	1357-G-30	\$684.21

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Karpuzi to issue the tax refunds as submitted by the Tax Collector. Motion carried unanimously 7-0.

**POLICE CHIEF’S REPORT**

Chief Jon Lape was present and provided a summary report on the Police Department for the month of June 2018. A copy of the report is on file at the Township. Questions and comments followed.

Mrs. Jordan commended Sgt. Mikus for his nomination for the Attorney General’s Award for Distinguished Service in Policing.

**BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER’S REPORT**

Mr. Bill Payne was present and provided a summary report on Code Enforcement for the month of June 2018. A copy of the report is on file at the Township. Questions and comments followed.

**PARKS AND RECREATION BOARD REPORT**

Mrs. Amy Stark, Chairwoman, was present and provided and read a summary report on the Parks and Recreation Board. A copy of the report is on file at the Township.

**ENGINEER’S REPORT**

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

Projects

- 2018 Road Improvement Project
  - Contracts have been executed for the hot mix asphalt, cold mix asphalt and seal coating work with Youngblood Paving and Russell Standard Corporation. Russell Standard has completed the bituminous seal coat work on Trump Road, Lick Road and Carl Lane.
- Cedar Ridge Storm Sewer Rehabilitation
  - Jet Jack has been and continues to perform lining work on the storm sewers.
- EMS Subdivision
  - Survey work on the Deer Lakes School District and EMS properties has been performed and the subdivision plat has been prepared. The plan has been submitted to the Township and School District.

Development/Subdivision Reviews

- None

**ADOPTION: ORDINANCE NO. 423 (CHARTER REFERENDUM – SUPERVISOR COMPENSATION)**

ORDINANCE NO. 423

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING PROPOSED LANGUAGE AMENDING SECTION C-1015 OF THE WEST DEER TOWNSHIP HOME RULE CHARTER PERMITTING COMPENSATION FOR SUPERVISORS, AND RECOMMENDING SPECIFIC LANGUAGE REGARDING THE SAME TO BE PLACED ON THE 6 NOVEMBER 2018 GENERAL ELECTION BALLOT AS A REFERENDUM QUESTION TO BE VOTED UPON BY THE ELECTORATE OF WEST DEER TOWNSHIP.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Jordan to adopt Ordinance No. 423 as advertised and presented. A roll call vote was taken. Members voting yes: Dr. DiSanti; Mrs. Jordan; Mr. Maudhuit; and Mrs. Hollibaugh. Members voting no: Mrs. Romig; Mr. Vaerewyck; and Mr. Karpuzi. Motion carried, 4-yes and 3-no.

**ADOPTION: ORDINANCE NO. 424 (CHARTER REFERENDUM – PROCEDURE FOR VACANCIES)**

ORDINANCE NO. 424

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING PROPOSED LANGUAGE AMENDING SECTION C-1019 OF THE WEST DEER TOWNSHIP HOME RULE CHARTER REPLACING LANGUAGE REGARDING SUPERVISOR VACANCIES THAT WAS FOUND TO BE UNCONSTITUTIONAL, AND RECOMMENDING SPECIFIC LANGUAGE REGARDING THE SAME TO BE PLACED ON THE 6 NOVEMBER 2018 GENERAL ELECTION BALLOT AS A REFERENDUM QUESTION TO BE VOTED UPON BY THE ELECTORATE OF WEST DEER TOWNSHIP.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Karpuzi to adopt Ordinance No. 424 as advertised and presented. Motion carried unanimously 7-0.

**ADOPTION: ORDINANCE NO. 425 (CHARTER REFERENDUM – ADMINISTRATIVE UPDATES)**

ORDINANCE NO. 425

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING PROPOSED LANGUAGE AMENDING SECTIONS C-1012, C-1016, C-1018, AND C-1021 OF THE WEST DEER TOWNSHIP HOME RULE CHARTER MODERNIZING GRAMMAR – INCLUDING GENDER AND DATE-SPECIFIC LANGUAGE – AND RECOMMENDING SPECIFIC LANGUAGE REGARDING THE SAME TO BE PLACED ON THE 6 NOVEMBER 2018 GENERAL ELECTION BALLOT AS A REFERENDUM QUESTION TO BE VOTED UPON BY THE ELECTORATE OF WEST DEER TOWNSHIP.

At this point, Mrs. Jordan clarified to those in the public that the Board is voting to put the ordinances/questions on the referendum for the voters to decide, and were not voting on the matters themselves.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Karpuzi to adopt Ordinance No. 425 as advertised and presented. Motion carried unanimously 7-0.

**ADOPTION: ORDINANCE NO. 426 (CHARTER REFERENDUM – ACTIONS REQUIRING ORDINANCES)**

ORDINANCE NO. 426

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, ADOPTING PROPOSED LANGUAGE AMENDING SECTION C-1054 DEFINING ACTIONS WHICH REQUIRE AN ORDINANCE, AND RECOMMENDING SPECIFIC LANGUAGE REGARDING THE SAME TO BE PLACED ON THE 6 NOVEMBER 2018 GENERAL ELECTION BALLOT AS A REFERENDUM QUESTION TO BE VOTED UPON BY THE ELECTORATE OF WEST DEER TOWNSHIP.

MOTION BY Supervisor Karpuzi and SECONDED BY Supervisor Jordan to adopt Ordinance No. 426 as advertised and presented. Motion carried unanimously 7-0.

Supervisor DiSanti pointed out he was on the Charter Commission to help work on the changes for the Home Rule Charter.

**ADVERTISEMENT: ORDINANCE NO. 427 (ROAD LIST RESTATEMENT)**

ORDINANCE NO. 427

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY, OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND RESTATING THE OFFICIAL LIST OF ADOPTED TOWNSHIP ROADWAYS.

Throughout the years, the Board of Supervisors has adopted various roadways. Ordinance No. 351 lists those roads, but requires a restatement to be up-to-date and accurate.

The administrative staff has completed the list, and the Public Works Committee has reviewed it. The list will be provided to the Board prior to the meeting.

Mrs. Romig commented that she received the road list from Mr. Mator in regard to the various roadways in the Township.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Karpuzi to authorize the advertisement of Ordinance No. 427 amending and restating the Township road list. Motion carried unanimously 7-0.

**ACCEPT RESIGNATION: PART TIME POLICE OFFICER**

The Board is in receipt of a resignation letter dated 15 June 2018 from Officer Jay R. McMahon as a part-time police officer. Officer McMahon was offered a full time position with O'Hara Township.

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Jordan to accept the resignation of Officer Jay R. McMahon as a part-time police officer for West Deer Township effective 29 June 2018 and wish him the best of luck. Motion carried unanimously 7-0.

**AUTHORIZATION: HIRE PART-TIME POLICE OFFICER**

The Board received the memorandum from Chief Lape recommending the hiring of the following individual for the position of part-time police officer:

- Trevor Elza

The background check was performed.

Chief Lape introduced Trevor Elza who was present at the meeting.

As per the recommendation of Chief Lape, MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Jordan hire Trevor Elza as a part-time police officer of West Deer Township upon the condition he successfully completes all the requirements to receive his certification number. Motion carried unanimously 7-0.

The Board congratulated Mr. Elza, and he thanked the Board.

**AUTHORIZATION: SALE OF POLICE VEHICLE**

The vehicle for sale is a 2012 Dodge Charger – not the 2014 Dodge Charger as stated at the June meeting. The Township advertised for the sale of the 2012 Dodge Charger – AS IS CONDITION – Noting: There are some engine issues.

The following four bids were received:

<b>BIDDERS:</b>	<b>TOTAL:</b>
1) Chicago Motors, Inc.	\$2,007.00
2) Yousef Dabbagh	\$1,708.00
3) Bayridge Motors, Inc.	\$1,289.00
4) Emergency Remarketing	\$1,212.12

MOTION BY Supervisor DiSanti and SECONDED BY Supervisor Karpuzi to authorize the sale of the 2012 Dodge Charger, in As-Is Condition, to Chicago Motors, Inc., in the amount of \$2,007.00. Motion carried unanimously 7-0.

**AUTHORIZATION: NIKE SITE LANDSCAPING**

After the 2017 paving of the Nike Site, landscaping needed to be completed. To spread the cost, it was determined that the landscaping be done in three phases. The first phase was completed in 2017, and the third phase was part of the C2P2 Grant application submitted in April.

This project involved the second phase of the landscaping. The bid specifications were listed on the Township website, and seven local landscapers were contacted as well. Of those seven contractors, three replied and two submitted bids as follow:

<b><u>BIDDER</u></b>	<b><u>TOTAL</u></b>
Hollibaugh Landscaping, Inc.	\$15,900.00
Jeff Plummer Landscaping, LLC.	\$16,760.00

Mr. Shoup also attempted to solicit more bids but no further bids were received.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Karpuzi to authorize the second phase of the Nike Site Landscaping to Hollibaugh Landscaping, Inc., in the amount of \$15,900.00 as per the posted specifications. A roll call vote was taken. Members voting yes: Mr. Vaerewyck; Dr. DiSanti; Mrs. Jordan; Mr. Karpuzi; Mr. Maudhuit; and Mrs. Romig. Member abstaining: Mrs. Hollibaugh. Motion carried, 6-yes, 0-no, and 1-abstention.

**AUTHORIZATION: SPEED TRAINING CLINIC**

The Township received a copy of an email from resident Brandon Williams, who is requesting permission to run a Speed and Agility Program at Moskala Field in Bairdford Park. Mr. Williams also submitted further information to the Board on the program. The Board tabled Mr. Williams’ request at their June meeting and asked Mr. Williams to be present at the meeting to answer questions by the Board.

Mr. Williams was not present at the meeting. Mr. Mator indicated he spoke with Mr. Williams, and that Mr. Williams stated he secured the program at Deer Lakes Park, and no longer needs the use of Bairdford Park.

**DISCUSSION: SOCIAL MEDIA**

A lengthy discussion was held in regard to social media.

Supervisor Karpuzi expressed that he knew the Board was hesitant to use social media, but suggested taking “baby steps” by using a Facebook page to post minutes as an extension of the Township website.

Supervisor Jordan stated she had concerns with using social media – even in a limited capacity – because the Township would be put in a position to respond to comments that are not able to be responded to, and that the Township would be criticized when it did not respond.

Supervisor Vaerewyck disagreed, and said that there is no reason why the Township could not respond to comments. He added that everyone has Facebook – from the White House, to Allegheny County, to municipalities that broadcast their meetings on Facebook Live.

Mrs. Jordan responded that she understands other entities have Facebook, but clarified that she felt it is not the forum to have issues addressed.

Mr. Karpuzi agreed with Supervisor Jordan that the Township’s social media presence should not include any type of forum. Mrs. Jordan added that there are already pages that do that, and cited examples such as the East Deer/West Deer forum.

Supervisor DiSanti indicated most of the information/comments posted on such forums are inaccurate, and are used as a way for people to gossip and “create chaos.” Mr. Vaerewyck countered that “accuracy is a point of view,” to which Dr. DiSanti responded by asking how there can be different points of view regarding accuracy.

Supervisor Karpuzi said that he viewed social media as a tool to combat the misinformation Dr. DiSanti mentioned.

Supervisor Jordan asked who would be responsible for maintaining such a presence. Mr. Karpuzi responded that he felt the Township Manager would be able to do that since Mr. Mator received a certificate from a course in social media.

Mr. Mator explained that his certification is separate from what Mrs. Jordan was talking about, which is time. He added that maintaining a social media presence is time-intensive, and that the Township does not have the staff to dedicate to such an effort.

Mr. Mator informed the Board that there are “pros and cons” to social media, that social media does not work for everybody, and that certain forms of social media do not work for everybody. He cited examples in other communities where good-intentioned efforts were “hijacked” and turned into black eyes for municipalities.

Supervisors DiSanti and Jordan agreed, and cited examples within West Deer Township where inaccurate social media posts caused problems.

Supervisor Maudhuit commented if someone would want to post something on a Township Facebook page it would have to be monitored. Mrs. Jordan again asked who would monitor it.

Supervisor Karpuzi asked if the Township could ask other municipalities how they provide a social media presence. Mr. Mator responded that he already did, and that they dedicate additional staff members to providing those services.

Mr. Mator added that both he and the Chief attend the PELRAS conference each year, and are advised by the attorneys at the conference not to permit public comments on a Facebook page because if someone posts something “bad,” and the Township pulls the comment, they would be opening themselves up to a First Amendment lawsuit. He also explained the catch-22 the Board was facing when he concurred with what Mrs. Jordan said earlier: If the Board eliminates comments, however, then some people will accuse the Township of not wanting to hear them or that the Township is trying to stifle them.

After more discussion it was agreed that Supervisors Karpuzi and Vaerewyck would provide proposals at the August meeting.

## **COMMITTEE REPORTS**

The Committee Chairperson reported on their Committee updates:

- 1) Mr. Vaerewyck – EMS Committee
- 2) Mrs. Romig – Engineering & Public Works Committee
- 3) Dr. DiSanti – Financial, Legal & Human Resources Committee
- 4) Mrs. Jordan – Parks & Recreation Committee
- 5) Mr. Karpuzi – Zoning, Planning & Code Committee
- 6) Mr. Karpuzi – North Hills COG Report

### **OLD BUSINESS**

- Dr. DiSanti requested that the Public Works Committee consider the addition of Russellton Airport Road to Crawford Run Road on the Winter Maintenance Agreement with PennDOT. He pointed out having the turnaround at Crawford Run Road would be a lot easier.
- Mrs. Jordan announced herself, Mrs. Hollibaugh, and Dr. DiSanti are all members on the Charter Commission.

### **NEW BUSINESS**

- Supervisor Romig informed those in attendance that the Public Works Committee discussed the possibility of the Township taking over winter maintenance of Creighton-Russellton Road. She questioned if PennDOT would be able to perform the winter maintenance.

Mr. Mator stated he received the contract, and though Creighton-Russellton Road was not on the list, it could easily be added if the Board so chose. He explained that PennDOT's service during the winter of 2017-18 was "hit-or-miss" and that the Board has to decide if that is acceptable or not.

Supervisor Dr. DiSanti recommended adding the road to the contract. He cited safety, and the fact that there was a bad accident just this past season, and stated that the lack of winter maintenance of that road has been an ongoing issue.

Supervisor Jordan commented that other State roads are not taken care of – such as Route 910 – and asked if the Township would have to take over those, as well. She added that it would not be fair to take over maintenance of one road and not another.

Supervisor Vaerewyck stated that taking over additional State roads would require more equipment and manpower.

Mr. Mator explained the process of PennDOT's work for winter maintenance as explained to Chief Lape, Mr. Yourish, and himself during a meeting with PennDOT officials. He stated that they have "priority roads," which means that some of their roads in the Township could be ignored during significant storms in lieu of those roads they deem to be a priority.

After additional discussion, it was agreed that Mr. Mator would contact PennDOT representatives and ask that they attend the Township meeting in August so the Board could better understand the situation before making a decision on the road list.

There was some discussion regarding the previous Board of Supervisors voting to add Creighton-Russellton Road to the last contract, but it not being added. Mr. Mator explained that the past Chairperson was not able to sign the agreement until the end of December, and that – by that point – PennDOT had notified the Township that the facts (improper routing) behind the road not being maintained – and upon which the Board made their decision – had changed. Mr. Mator stated he brought it back to the Public Works Committee and Board, and that it was agreed the Township would monitor PennDOT's performance with the new routing before submitting the addition.

Mr. Happel suggested putting Creighton-Russellton Road on the August agenda separately, and he would check into it.

### **SET AGENDA: REGULAR BUSINESS MEETING**

August 15, 2018

6:30 p.m. – Executive Session

7:00 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. 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. Committee Reports
14. Old Business
15. New Business
16. Set Agenda/September 19, 2018
17. Comments from the Public
18. Adjournment

Items Added:

- \* Creighton-Russellton Road
- \* PennDOT Winter Maintenance Agreement
- \* Ordinance No. 427 Road List Restatement

### **COMMENTS FROM THE PUBLIC**

- Ms. Stacy Devlin, New Kensington, PA
  - Commented on an accident with Mr. Mator which occurred in August 2017, and made accusations regarding Mr. Mator's lunch break history, driving history, and comments that were supposedly made after the accident occurred. Ms. Devlin also made an accusation against the Police Department stating that they "covered for him."
  - Mr. Happel informed Ms. Devlin that the Supervisors will not comment on this issue. He explained that it is a private matter between she and Mr. Mator.
- Mr. Jim Cesnick, Michael Road
  - Commented on Facebook, and stated he is not in favor of utilizing social media.
- Mr. Scott Woloszyk, Shuster Road
  - Commented on adopting the winter maintenance of State roads. He asked whose liability it would be if the Township took over the winter maintenance, and an accident occurred.

**ADJOURNMENT**

MOTION BY Supervisor Jordan and SECONDED BY Supervisor DiSanti to adjourn the meeting at 8:22 p.m.  
Motion carried unanimously 7-0. Meeting adjourned.

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Daniel J. Mator, Jr., Township Manager