

Members present at the Regular Business Meeting: Arlind Karpuzi, Chairperson; Shirley Hollibaugh, Vice Chairperson; Brandon Forbes; Beverly Jordan; and Shawn Maudhuit. Also present were: Daniel Mator, Township Manager; Gavin Robb, Township Solicitor; and Scott Shoup, Township Engineer.

### **OPEN REGULAR BUSINESS MEETING**

Chairman Karpuzi opened and welcomed everyone to the meeting, and led the Pledge of Allegiance.

Roll Call taken by Mr. Mator – Quorum present.

### **COMMENTS FROM THE PUBLIC**

- Chief Josh Wiegand, VFC #3
  - Chief Wiegand expressed his concern with the Leo's Landscaping Conditional Use request being that is to be located on Route 910. He stated that the firemen have had to shut down Route 910 due to flooding from rainstorms in the past, and suggested placing conditions to ensure the develop will not cause more flooding issues.
- Bill Lupone, 279 Monier Road
  - Mr. Lupone informed the Board that he had taken part in the housing development that was previously built across from Pittsburgh North Golf Course. He addressed the potential rezoning of the golf course property to permit another housing plan to be built, and voiced the reasons he disagreed with the proposal – namely traffic, the fact residents moved there because the golf course was an attractive amenity, and the fact the Deer Lakes School District – of which Mr. Lupone is the Chair – does not have a projected increase in attendance from such a large development accounted for in their five year plan.
- Tim Resciniti, 1006 York Way
  - Mr. Resciniti thanked the Board for operating their meeting via Zoom in the time of COVID.
  - He requested that he be recognized to be a party of the oil/gas proceedings and wanted to know what is required from him to attend. Mr. Robb advised that Mr. Resciniti needed to attend the Public Hearing to establish that he has a legal right to be there, and recommended Mr. Resciniti speak to his own legal council for that information. Mr. Robb added that no form is required by the Township to attend.
  - Mr. Resciniti questioned if the July Planning Committee meeting would be online through Zoom. He stated that approximately twenty individuals would be attending the meeting from his gas well group, and – with COVID restrictions – he expressed concern that the twenty-five person restriction could be breached. Mr. Mator answered that the plan was to hold the meeting via Zoom. Mr. Payne mentioned that there was some concern over presenters not being able to display their documents for discussion, and added that gas wells are not on the Planning Commission's July Agenda.

### **CHAIRMAN'S REMARKS**

- Chairman Karpuzi advised everyone with the rising number of COVID affected people to use precaution and to follow COVID-19 guidelines.

**ACCEPT MINUTES**

MOTION BY Supervisor Forbes and SECONDED BY Supervisor Jordan to accept the minutes of the 17 June 2020 meeting as presented. Motion carried unanimously 5-0.

**MONTHLY FINANCIAL REPORT**

**TOWNSHIP OF WEST DEER**  
**FINANCE OFFICER'S REPORT**

**30 June 2020**

**I - GENERAL FUND:**

	<u>May</u>	<u>YTD</u>	<u>% of Budget</u>
<b>Revenues</b>	-57,102.38	3,704,490.82	57.17%
<b>Expenditures</b>	765,271.39	2,677,740.66	41.32%
 <b>Cash and Cash Equivalents:</b>			
Sweep Account		<u>1,202,778.35</u>	
			<u>1,202,778.35</u>

**II - SPECIAL REVENUE FUNDS**

**Cash and Cash Equivalents:**

**Street Light Fund:**

Sweep Account - Restricted 70,679.60

**Fire Tax Fund:**

Sweep Account - Restricted 82,489.32

**State/Liquid Fuels Fund:**

Sweep Account - Restricted 348,387.67

501,556.59

**Investments:**

**Operating Reserve Fund:**

Sweep Account - Reserved 630,285.43

**Capital Reserve Fund:**

Sweep Account - Reserved 1,374,563.64

2,004,849.07

**III - CAPITAL PROJECT FUNDS:**

**Cash and Cash Equivalents:**

0.00

0.00

**TOTAL CASH BALANCE 06/30/20**

3,709,184.01

**Interest Earned June 2020**

**152.39**

	<u>6/1/2020</u>	<u>June</u>	<u>6/30/2020</u>
	<u>Debt Balance</u>	<u>Principal</u>	<u>Debt Balance</u>
		<u>Payment</u>	
<b>Mars National - VFC #3</b>	\$141,385.61	\$2,607.94	\$138,947.87
<b>NexTier Bank VFC #2</b>	\$417,410.43	\$2,680.96	\$416,076.64

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

Mr. Forbes asked Mr. Mator for a brief summary of the financial report for the first half of the year.

Mr. Mator reported that the 2020 financials were comparable to those of 2019. He quoted that as of July 10<sup>th</sup>, revenues were 58.11% and expenditures were 42.91% compared to last year’s revenue of 64.96% with expenditures of 44.21%.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Forbes to approve the Finance Officer’s Report as submitted. Motion carried unanimously 5-0.

**JULY LIST OF BILLS**

Amerikohl Aggregates Inc.....	6281.19
Amerikohl Transport Inc .....	2859.52
Bearcom.....	194.97
Best Wholesale Tire Co, Inc .....	540.65
Hampton Concrete Products Inc .....	523.00
Hei-Way, LLC.....	1137.33
Jordan Tax Service, Inc .....	636.11
Kress Tire .....	1972.72
Office Depot.....	543.12
Shoup Engineering Inc. ....	1068.00
Stephenson Equipment, Inc. ....	86.44
Toshiba Financial Services .....	489.87
Tucker/Arensberg Attorneys .....	5817.16

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh 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.

**POLICE CHIEF’S REPORT**

Chief Jon Lape was present and provided a summary report on the Police Department for the month of June 2020. Report copies are on file at the Township Municipal Building.

Mr. Forbes thanked Chief Lape for providing crime reports and calls for service reports so the Board has a better understanding of what is going on in the Township. He asked if there was any progress on the federal reporting system transition.

Chief Lape stated that there has been no progress. He pointed out that the transition was to be completed in six months, and – with the systems not cooperating – that the information will have to be entered manually.

Mr. Forbes questioned if this switch was required and if the Board could help in anyway.

Chief Lape emphasized that the technical issue is across the board with every department using the system and that the switch is to be completed manually by January 2021.

**PUBLIC WORKS FOREMAN’S REPORT**

Mr. Kevin Olar provided a summary report on the Public Works Department for the month of June 2020. Report copies are 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:

### July Development/Projects

- Nike Park Project – DCNR Grant
  - Jeffrey Associates has completed all work on the two new pavilions in Nike Park.
  
- Bairdford Park – GEDF Grant
  - B-1 Ballfield Project – Bids were opened on Monday, 13 July 2020, and the results of the bids will be voted upon by the Board at their current meeting.

### July Development/Subdivision Review

- The following subdivision and land development plan projects had been reviewed, and review letters were issued to the Township as noted:
  - Leto and Dionysus Well Pads
    - Multiple reviews of Land Development Plan(s) have been performed on these gas well developments, which are scheduled for additional review by the Planning Commission as conditions permit.
  - Leo's Landscaping
    - A review of the conditional use of a contractor's yard in the SU Zoning District was performed and a review letter was issued on 24 June 2020.

## **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 2020. A copy of the report is on file at the Township.

Mr. Forbes requested that Mr. Payne explain what the Traffic Impact Fee Committee was, and who was on the committee.

Mr. Payne explained that the committee was formed when West Deer Township and Indiana Township joined to work on the Comprehensive Plan. He stated that there was a traffic impact fee proposal replacing the road maintenance fee with a traffic impact fee. He went into detail describing the fee and how it was generated.

He stated that Mark Schmidt and John Butala were on the committee.

Mr. Karpuzi brought up that West Deer Township impact fees were lower than other Townships and was looking to have it similar to them.

Mr. Payne said he would mention it.

## **ACCEPTANCE: RESIGNATION PART-TIME POLICE OFFICER**

The Board is in receipt of the attached memo from Chief Jonathan Lape stating that part-time police officer Chad Bowman has resigned from his position effective 25 June 2020.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Forbes to accept the resignation of part time Police Officer Chad Bowman, and to wish him the best of luck. Motion carried unanimously 5-0.

**ADOPTION: ORDINANCE NO. 433 (SENIOR TAX REBATE )**

Ordinance No. 433

An Ordinance of the Township of West Deer, county of Allegheny, Commonwealth of Pennsylvania, amending the code of the Township of West Deer to increase the senior citizen tax rebate from \$10 to \$35

Mr. Karpuzi outlined the Ordinance and the benefit for the Senior Community.

Mrs. Jordan acknowledged the extra work that Barb Nardis, Finance Officer had to do to get the checks completed and sent to the senior residents.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to adopt Ordinance No. 433 as advertised and presented. Motion carried unanimously 5-0.

**ADOPTION: RESOLUTION NO. 2020-14 (BLIGHT GRANT)**

Resolution No. 2020-14

A Resolution of the Board of Supervisors of the Township of West Deer, Allegheny County, Pennsylvania, requesting a Blight Remediation Program Grant from the Commonwealth Financing Authority, and authorizing and directing the Chairman of the Board of Supervisors and the Township Manager as the West Deer Township officials to execute all documents and agreements related to this grant.

Mr. Forbes reiterated that this grant is a good opportunity for the Township.

Mr. Karpuzi agreed with Mr. Forbes and commented that this is to help prevent blight in the Township. He thanked Mr. Mator and Mr. Forbes for the time they have put into applying for the grant.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Forbes to adopt Resolution No. 2020-14 requesting a Blight Remediation Program Grant from the Commonwealth Financing Authority, and authorizing and directing the Chairman of the Board of Supervisors and the Township Manager as the West Deer Township officials to execute all documents and agreements related to this grant. Motion carried unanimously 5-0.

**AUTHORIZATION: ADVERTISEMENT – MILLER PROPERTY RESIDENTIAL REZONING**

The Township is in receipt of a zoning change request from Victor-Wetzel Associates on behalf of Richard Miller Jr., for five (5) parcels consisting of approximately 17.5 acres. The parcels are located at 4391 Bakerstown-Culmerville Road and four (4) adjoining vacant parcels.

Vacant parcel IDs are as follow: 2010-B-150; 2010-B-321; 2010-F-382; and 2010-F-389.

The owner is requesting the zone change from R-rural estate to R-1 rural residential.

The request will be forwarded to the West Deer Planning Commission and Allegheny County Economic Development for their review. In accordance with the PA Municipal Planning Code, the comments by the County Economic Development shall be made to the Township within forty-five days.

Mr. Karpuzi asked for an explanation of this rezoning from Mr. Payne.

Mr. Payne summarized the rezoning request and informed the Board that the development builder previously built homes valued around \$600,000 so these homes could be \$500,000 or up in value.

Mr. Karpuzi asked Mr. Shoup if the builder was reputable.

Mr. Shoup replied that he was told they have received very high marks and were professional.

Mr. Robb reminded the Board to be cognizant that if R-1 is permitted that the property could be sold and something else then what is currently proposed could be built. He also requested a start time of 6:30pm for Public Hearing.

Mr. Payne stated that there may be more comments due to this rezoning effecting more residents but felt a 6:30pm start time would be fine.

Further discussion was held.

MOTION BY Supervisor Forbes and SECONDED BY Supervisor Jordan to authorize the advertisement of the Miller Property Residential Rezoning Public Hearing on 19 August 2020 at 6:30pm. Motion carried unanimously 5-0.

**AUTHORIZATION: ASSIGNMENT AND ASSUMPTION OF THE MORROW REFUSE CONTRACT**

Attached is a copy of the Assignment and Assumption Agreement by and between Morrow Refuse, Inc. A Pennsylvania Corporation (“seller”), and Shank Waste Services, Inc., a Pennsylvania Corporation (“buyer”) dated 30 June 2020, wherein Shank Waste Services will assume the remainder of the refuse agreement between the Township and Morrow Refuse.

Mr. Forbes questioned if the agreement included the transfer of the bond.

Mr. Mator explained that Shank Waste, Inc. already submitted their bond with the Township so the Morrow Refuse Inc. bond will be returned to them.

Mrs. Jordan asked if Shank Waste, Inc. was going to honor the current fee schedule, and for how many years.

Mr. Mator commented that Mr. Robb advised due to Pennsylvania State Law that the agreement cannot go past five years. He informed the Board that Shank Waste, Inc. had expressed interest for next year, but that the Board would need to approve it.

Mrs. Jordan requested that the Morrow Refuse, Inc. agreement be posted on Township website and Facebook page.

Mr. Karpuzi and Mr. Forbes agreed.

Mr. Forbes suggested an update be placed in newsletter for residents.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to authorize the Assignment and Assumption Agreement between Morrow Refuse, Inc. and Shank Waste Services, Inc., permitting Shank Waste Services to assume the remainder of the refuse agreement between the Township and Morrow Refuse. Motion carried unanimously 5-0.

**AUTHORIZATION: B-1 BALLFIELD WALL AND DRAINAGE**

Allegheny County has approved a GEDF Grant for work to be performed at Bairdford Park. One of the projects approved under the grant is the rehabilitation of the area adjacent to the B-1 Ballfield. The project would include demolition of a failing retaining wall, regrading and enlargement of the level area behind the backstop, installation of a new retaining wall and gravel walkway, and installation of drainage improvements.

The authorization to award the bid through a sealed-bid process administered by the Township Engineer.

<u>BIDDER</u>	<u>BID AMOUNT</u>
1. McKinney Excavating and Contracting LLC	\$58,357.39
2. Santamaria Landscaping & Cement Contractors Inc.	\$63,542.00
3. Holbein, Inc.	\$65,792.00
4. Michael Facchiano Contracting Inc.	\$66,000.00
5. T A Gall	\$66,100.00
6. Meyer Excavating Inc.	\$68,950.00
7. U&S Construction	\$77,800.00
8. Penn Landscape & Cement Work	\$82,000.00
9. JH Excavating	\$85,210.00
10. Murin & Murn Inc.	\$88,770.00

Mr. Shoup reported that there were 10 bids for the rehabilitation of the B-1 Ballfield. He advised that the lowest bidder did not turn in a bond, so it needed to be rejected. He supported giving the work to Santa Maria Landscaping & Cement Contractors, Inc. since the references he spoke too gave them such high marks and the \$63,542.00 requested falls fully within the GEFD Grant amount.

Mr. Karpuzi thanked Mrs. Jordan for her involvement in the Master Park Plan and Mr. Mator for taking the time to put the grant together.

MOTION BY Supervisor Forbes and SECONDED BY Supervisor Maudhuit to award the bid to Santamaria Landscaping & Cement Contractors Inc. in the amount of \$63,542.00 to complete the rehabilitation of the area adjacent to the B-1 Ballfield as quoted. Motion carried unanimously 5-0.

**AUTHORIZATION: SALE OF PUBLIC WORKS TRUCK**

The Township advertised for the sale of the 2001 Mack R-Series ten ton dump truck with salt spreader and plow. Color: red. Mileage: approx: 63,700 – as-is condition.

Sealed bids were received and opened on 7 July 2020 at 1:30 pm.

The following two bids were received:

- 1) Tracy Adamik/A&H Development.....\$12,590.00
- 2) Zachary Orban/Orban’s Landscaping.....\$ 2,575.00

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Maudhuit to authorize the sale of the 2001 Mack R-Series Public Works dump truck to Tracy Adamik/ A&H Development in the amount of \$12,590.00 as-is condition. Motion carried unanimously 5-0.

**DISCUSSION: COMMUNITY DEVELOPMENT CORPORATION (CDC) STEERING COMMITTEE**

Mr. Karpuzi outlined the goals of the CDC Steering Committee and announced that the members of the committee will consist of: himself; Brandon Forbes; Eric Bienek; Larry Neidig; Mark Schmidt; John Butala; Jonathan Majernik; and Carrie Appollonia. He thanked them for accepting the invitation to be on the committee.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Forbes to appoint Arlind Karpuzi, Brandon Forbes, Eric Bienek, Larry Neidig, Mark Schmidt, John Butala, Jonathan Majernik and Carrie Appollonia to the Community Development Corporation Steering Committee. Motion carried unanimously 5-0.

**DISCUSSION: PITTSBURGH NORTH GOLF COURSE REZONING**

Mr. Payne explained in detail the rezoning request of the property formerly named Deer Run but now known as Pittsburgh North Golf Course.

Mrs. Jordan asked if this rezoning will replace the golf course.

Mr. Payne stated the owner of the golf course put the land up for sale and currently someone is looking to purchase the property but would like to use it for residential housing. He pointed out there were two (2) different maps showing the development options of either leaving the land zoned at R-2 or the approval of the rezoning to R-3.

Mr. Karpuzi brought up that potential rezoning normally was not a discussion piece on the Regular Business Meeting agenda and was looking for an explanation.

Mr. Payne informed the Board that they have 45 days to make a decision and the thought was to let them know in advance that this rezoning was being requested.

Mr. Robb pointed out the Board could make a decision today that this was not something that the Township wanted to take place or send to Planning Commission for review, to make recommendations and then presented to the Board for final decision.

Further discussion was held.

Mr. Karpuzi commented Planning Commission already has this request on their agenda to discuss next week so the Board will wait to make a decision until after their review and any recommendations.

**DISCUSSION: TOWNSHIP GAS PUMPS**

Mr. Forbes expressed his concerns about the gas pumps, and strongly recommended that the Board approve the replacement.

Mrs. Jordan supported Mr. Forbes in his concerns and recommendation of approval.

Mr. Karpuzi proposed to ask Public Safety Committee to deem any other essential needs prior to making this purchase so as to include them all in one request.

Mrs. Jordan asked Mr. Mator where the \$53,000 funding could come from.

Mr. Mator explained that if the Board declares this purchase an emergency, that the funds could be taken from the Operating Reserve Fund.

Mrs. Jordan informed the Board that she and Mr. Forbes will try to hold another Safety Committee meeting prior to the September Supervisor meeting so recommendations can be reviewed by them.

**OLD BUSINESS**

Mr. Karpuzi reiterated the introduction of the CDC Steering Committee and asked for Mr. Neidig and Mr. Bienek to speak on the committee.

Mr. Neidig stated that he looks forward to working on this committee with everyone.

Mr. Bienek agreed with Mr. Neidig and commented that he is looking forward to exploring the resources for the next generation.

**NEW BUSINESS**

- Mr. Robb asked the Board if they wanted to take action on Leo's Landscaping Conditional Use. He advised that they could approve the Conditional Use and put conditions on it – hours of operation 7am-9pm, no wholesales and no retail sales – or they could deny it.

Mr. Forbes questioned how Chief Wiegand's previous information of the flooding of Route 910 was to be handled and if that could be added as a condition.

Mr. Robb advised the flooding concern would be part of the Land Development process, and that it is not something that the Board could add as a condition.

MOTION BY Supervisor Forbes and SECONDED BY Supervisor Jordan to approve for a contractor yard as per the recommendation by the Planning Commission with additional conditions preciously discussed on hours of operation of 7:00am to 9:00pm, no wholesale or retail sales. Motion carried unanimously 5-0.

- Mrs. Jordan asked Mr. Mator to speak on the leases for baseball and softball organizations as well as their use of the electricity at Bairdford Park.

Mr. Mator explained the use of the electricity at Bairdford Park, and how the payment of the bill is currently paid by the Township. He informed the Board that it costs the Township \$150 - \$200 every time the lights are used by the baseball/softball organizations. He reported that he met with an electrician and received three different options: complete re-metering would cost \$10,000, a hybrid option which would be \$3300 to separate the meters to place concession stand and field lights together, or it would be aprox. \$1000 to place the pavilion on an individual meter.

Mr. Mator presented a fourth option of invoicing baseball/softball organizations every month except for the month of Community Days (August), and that one month of their usage –at no charge – would most likely cover the Township's usage of the pavilion and public works garage for the rest of the year.

He also informed the Board that it was discovered that – without the Township knowledge or permission – Deer Lakes Youth Baseball had cut the Township lock on the meter, replaced it with their own lock, and were therefore using the electricity without permission. Mr. Mator stated that the taxpayers have therefore been paying for this electric use.

Mrs. Jordan expressed concern that the Township also did not want to put the cost of Township electricity on a youth organization.

Mr. Mator reiterated that any provision regarding utility usage would be added to their respective lease agreement. He stated that a draft lease should be completed in the next few weeks, and then will be presented to the committee.

- Mr. Forbes mentioned that at the next Public Safety Meeting he would like to review a False Alarm Ordinance for any changes that are needed. He suggested that two false alarms should be allowed, but each additional false alarm should be cited. He also informed the Board that he is aware of thirty false alarms to date. He planned on speaking to the chiefs of the public safety departments to verify that the calls are being reported and cited for the abundance of false alarms.

- Mr. Karpuzi asked how property assessments of the Township homes work and if/when the whole Township gets reassessed.

Mr. Robb explained when real estate is purchased the property should be reassessed, this is monitored by the school district and also the request of a building permit over a certain amount should generate a reassessment of the property.

Mr. Payne pointed out that Dorothy Moyta, Zoning Administrative Assistant forwards her monthly permit report to Allegheny County.

Further discussion was held.

**ADJOURNMENT**

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

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Daniel J. Mator Jr., Township Manager