

West Deer Township  
Board of Supervisors  
19 August 2020  
7:00 p.m.

Members present at the Regular Business Meeting: Arlind Karpuzi, Chairperson; Shirley Hollibaugh, Vice Chair; 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.

### **PLEDGE OF ALLEGIANCE**

Roll Call taken by Mr. Mator – Quorum present.

### **COMMENTS FROM THE PUBLIC**

- Steven Victor
  - Mr. Victor requested the Board schedule a Public Hearing for the Pittsburgh National Golf Rezoning Plan, even though the rezoning request was denied by the Planning Commission last.
  - Mr. Robb recommended placing a motion on the September agenda to schedule the public hearing, and also stated the Board has the discretionary option to deny the motion, which then would become a denial of the zoning change request.
  - Mr. Karpuzi voiced that the Board wouldn't be opposed to having a public hearing.
  
- Tim Resciniti, 1006 York Way
  - Mr. Resciniti asked the Board to review the compliance analysis of the Olympus deep well that he sent in the Zoom chat box.
  - He requested an explanation of a notation on a report stating that Mr. Schmidt was speaking with Mr. Robb about asking Olympus to withdrawal their proposal of bringing the well to West Deer Township. Mr. Robb stated that he did not speak to Mr. Schmidt about asking Olympus to withdrawal, so he has no information to share.

### **CHAIRMAN'S REMARKS**

- Chairman Karpuzi emphasized that everyone needs to continue following the COVID-19 guidelines.
- He thanked Mrs. Jordan, Mr. Forbes, and Mr. Mator for working on the union contract agreements.

### **ACCEPT MINUTES**

MOTION BY Supervisor Maudhuit and SECONDED BY Supervisor Jordan to accept the minutes of the 15 July 2020 meeting as presented. Motion carried unanimously 4-0.

### **APPOINTED AUDITOR'S REPORT**

Township-appointed Auditor Mark Turnley was present and summarized the 2019 Annual Audit.

**MONTHLY FINANCIAL REPORT**

**TOWNSHIP OF WEST DEER**  
**FINANCE OFFICER'S REPORT**  
**31 July 2020**

**I - GENERAL FUND:**

	<u>July</u>	<u>YTD</u>	<u>% of Budget</u>
<b>Revenues</b>	235,423.60	3,939,914.42	60.80%
<b>Expenditures</b>	347,127.01	3,023,905.17	46.66%

**Cash and Cash Equivalents:**

Sweep Account

1,160,268.72

**1,160,268.72****II - SPECIAL REVENUE FUNDS****Cash and Cash Equivalents:****Street Light Fund:**

Sweep Account - Restricted

68,592.72

**Fire Tax Fund:**

Sweep Account - Restricted

79,981.09

**State/Liquid Fuels Fund:**

Sweep Account - Restricted

348,426.11

**496,999.92****Investments:****Operating Reserve Fund:**

Sweep Account - Reserved

630,312.13

**Capital Reserve Fund:**

Sweep Account - Reserved

1,382,110.06

**2,012,422.19****III - CAPITAL PROJECT FUNDS:****Cash and Cash Equivalents:**

0.00

**0.00****TOTAL CASH BALANCE 07/31/20****3,669,690.83****Interest Earned July 2020****8,169.89**

	<u>7/1/2020</u>	<u>July</u>	<u>7/31/2020</u>
	<b>Debt Balance</b>	<b>Principal Payment</b>	<b>Debt Balance</b>
<b>Mars National - VFC #3</b>	\$139,024.16	\$2,607.94	\$136,786.64
<b>NexTier Bank VFC #2</b>	\$416,076.64	\$2,680.96	\$416,694.94

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

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

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Maudhuit to approve the Finance Officer’s Report as submitted. Motion carried unanimously 4-0.

**AUGUST LIST OF BILLS**

Bearcom.....	194.97
Best Wholesale Tire Co. Inc.....	1393.30
Hei-Way, LLC.....	775.98
Jordan Tax Service, Inc.....	471.99
Kress Tire.....	628.36
Mark C. Turnley.....	3250.00
Markl Supply.....	2080.00
North Hills COG.....	3919.88
Northeast Paving.....	857.30
Office Depot.....	512.22
Shoup Engineering Inc.....	29769.00
Stephenson Equipment, Inc.....	9045.00
Toshiba Financial Services.....	685.32
Tristani Brothers Inc.....	1141.62
Tucker/Arensberg Attorneys.....	2081.00

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Maudhuit to pay the List of Bills as submitted, and all approved reimbursable items in compliance with generally accepted accounting practices. Motion carried unanimously 4-0.

**TAX REFUNDS**

The Board is in receipt of a list from the Tax Collector requesting the issuance of Real Estate Tax refunds due to assessment changes by Allegheny County for the year 2020.

**2020 REAL ESTATE TAX REFUNDS**

<u>NAME</u>	<u>LOT/BLOCK</u>	<u>AMOUNT</u>
Mann John & Laura	1838-R-105	\$48.93

Mr. Robb recommended that tax refunds be removed from the list of approval items on future supervisor meeting agendas.

Mrs. Jordan agreed and requested that a report still get sent to the Supervisors.

Mr. Karpuzi and Mrs. Hollibaugh also were in agreement.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to issue the tax refunds as submitted by the Tax Collector. Motion carried unanimously 4-0.

**POLICE CHIEF’S REPORT**

Chief Jon Lape was present and provided a summary report on the Police Department for the month of July 2020. A copy of the report is on file at the Township

**PUBLIC WORKS FOREMAN'S REPORT**

Mr. Kevin Olar provided a summary report on the Public Works Department for the month of July 2020. 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:

**August Development/Projects**

- Bairdford Park – GEDF Grant – B-1 Ballfield Project
  - Landscape & Cement Contractors, Inc. and contract documents have now been executed.
- 2020 Road Maintenance Project
  - During the past month, Youngblood Paving, Inc. has applied a double bituminous seal coat (tar and chip) to Dawson Road, McKalloff Road and Old Bakerstown Road and this project can be considered complete.

**August 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.
  - Oakwood Heights Plan – Phase II and III
    - A review of the revised preliminary and final subdivision plans for this development was prepared and a review letter was issued on 23 July 2020.

Mr. Shoup updated the Board on B-1 Ballfield Project and the Road Maintenance Plan.

Mr. Karpuzi asked if other municipalities that Mr. Shoup works with are also downsizing the amount of capital investment due to the uncertainty of the economy since the COVID-19 pandemic. Mr. Shoup answered that they have.

**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. Payne informed the Board that there will be a Zoning Board Hearing on Thursday, 20 August 2020.

**REPORT FROM THE PARKS AND RECREATION BOARD**

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

Mrs. Jordan mentioned a few suggestions that have been discussed by the Parks and Recreation Board – a market for residents to sell their items, movie night at the park, food truck events, etc. – for this Fall season. She also asked that the public to be mindful that this is all volunteer-based, and that it is not Township employees working these events. She stated that some of the Park and Recreation volunteers have huge concerns with volunteering at any of the events due to the Pandemic and personal/familial concerns, and that has been an obstacle for making events happen.

**ACCEPTANCE: 2021 MINIMUM OBLIGATIONS (MMOs)**

The Township is in receipt of the 2021 Minimum Municipal Obligation Reports for the Police and Municipal Employee Pension Plans as submitted by the Township Actuary.

As per State Law, the Board simply has to acknowledge receipt of the reports.

Mr. Forbes asked Mr. Mator to briefly explain what a Minimum Municipal Obligation, and how much of the funding comes from state versus how much comes from the Township.

Mr. Mator reported that the majority of the funding comes from the Township and is calculated by the Actuary – based off of anticipated retirement, cost of retirement plans, and wages/income. He stated that the remainder of funds are from the state and employee contributions.

More discussion was held.

MOTION BY Supervisor Forbes and SECONDED BY Supervisor Jordan to acknowledge receipt of the 2021 Minimum Municipal Obligations for the Police and Municipal Employee Pension Plans. Motion carried unanimously 5-0.

**AUTHORIZATION: GUIDERAIL PROJECT**

The Township is in receipt of quotes for the Guiderail project to furnish and install guiderails on: Shuster Road, Clendenning Road, Shepard Road, and Donaldson Road.

Bidders:	Total:
1) Fence By Maintenance Service	\$19,153.76
2) Green Acres Contracting	\$27,825.00
3) Allegheny Fence Construction Co.	\$29,700.00

MOTION By Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to award the Guiderail Project to Fence By Maintenance Service in the amount of \$19,153.76 for Shuster Road, Clendenning Road, Shepard Road and Donaldson Road. Motion carried unanimously 5-0.

**AUTHORIZATION: HIRING OF PART-TIME POLICE OFFICERS**

The Board received a memorandum from Chief Lape recommending the hiring of Damian Brand and Connor Dobransky for the positions of part-time police officer. A satisfactory background check was performed on each.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Maudhuit to hire Damian Brand and Connor Dobransky as part-time police officers of West Deer Township, contingent upon their completion of all the necessary steps in obtaining their certification from the PA Municipal Officers Training Commission. Motion carried unanimously 5-0.

**AUTHORIZATION: SEIU LOCAL UNION NO. 668 MEMORANDUM OF UNDERSTANDING**

Attached was a copy of the Memorandum of Understanding between West Deer Township and the Service Employees International Union Local 668 for the purpose of extending the existing West Deer Township Public Works Labor agreement through 2021.

MOTION BY Supervisor Forbes and SECONDED BY Supervisor Jordan to authorize the signing of the Memorandum of Understanding between West Deer Township and the Service Employees International Union Local 668 extending the existing West Deer Township Public Works Labor Agreement. Motion carried unanimously 5-0.

**AUTHORIZATION: TEAMSTERS LOCAL UNION NO. 205 MEMORANDUM OF UNDERSTANDING**

Attached was a copy of the Memorandum of Understanding between West Deer Township and the Teamsters Local Union No. 205 for the purpose of extending the existing West Deer Township Secretarial Labor Agreement through 2021.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Hollibaugh to authorize the signing of the Memorandum of Understanding between West Deer Township and the Teamsters Local Union No. 205 extending the existing West Deer Township Secretarial Labor Agreement through 2021. Motion carried unanimously 5-0.

**AUTHORIZATION: TEAMSTERS LOCAL UNION 249 MEMORANDUM OF UNDERSTANDING**

Attached was a copy of the Memorandum of Understanding between West Deer Township and the Teamsters Local Union 249 for the purpose of extending the existing West Deer township Police Union Labor Agreement through 2021.

MOTION BY Supervisor Maudhuit and SECONDED BY Jordan to authorize the signing of the Memorandum of Understanding between West Deer Township and the Teamsters Local Union 249 extending the existing West Deer Township Police Union Labor Agreement through 2021. Motion carried unanimously 5-0.

Mr. Karpuzi thanked everyone for their hard work putting these agreements together.

**AUTHORIZATION: VOGEL/SHANK HOLIDAY SCHEDULE CHANGE**

Mr. Douglas Vogel, owner of Shank Waste Service Inc. sent a letter to the Township Manager requesting an amendment to the currently agreement between West Deer Township and Shank Waste Service Inc. to change the holiday schedule from collection of refuse materials.

The current agreement lists only Christmas Day as a holiday, whereas Shank Waste Service Inc. does not service existing customers on these additional holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, and Thanksgiving Day.

Mr. Forbes asked for clarification that garbage pick-up will continue to be the following day after a holiday, and Mrs. Jordan questioned if this is how it currently is.

Mr. Mator explained that the Morrow Refuse agreement only had Christmas Day as a holiday, and that garbage pick-up would continue to be the following business day after a holiday.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Forbes authorize the amendment to the refuse agreement between West Deer Township and Shank Waste Service Inc. to change the holiday schedule for collection of refuse, as presented. Motion carried unanimously 5-0.

**AUTHORIZATION: VOGEL/SHANK 2021 OPTION YEAR**

The Township is currently in a contract with Shank Waste Service Inc. to collect refuse and recyclables through 31 December 2020. That agreement has an option year provision for 2021. The Township manager received a letter from Mr. Douglas Vogel, owner of Shank Waste Service Inc. requesting the 2021 option year be exercised.

Option Year/Price  
2021 -- \$17.50/month

The Senior Citizens Sticker Program would remain the same at \$2.00/sticker.

Mr. Karpuzi asked Mr. Mator what other municipalities are paying for garbage collection.

Mr. Mator informed the Board that he had researched local municipalities. He stated that Hampton and Indiana Townships – who are using Waste Management – are currently paying \$22.17 per month, and Richland Township has Vogel for refuse collection, and currently pays \$24.50 per month. He stated that the only difference between the Townships refuse contracts is Hampton and Indiana are considered call communities which gives the Townships the added benefit of picking up hazardous materials.

Mrs. Jordan asked for the clarification of hazardous materials.

Mr. Mator explained hazardous materials include paint, used motor oil, etc.

Mr. Mator also informed the Board that Mr. Robb alerted him that – due to State Law – the Township cannot exercise the sixth-year option that was in the original refuse agreement, and the agreement bid out in 2021.

MOTION BY Supervisor Jordan and SECONDED BY Supervisor Maudhuit authorize the exercising of option year 2021 with Shank Waste Service, Inc., for residential solid waste collection and disposal and recyclable material collection as per the 2017 agreement. Motion carried unanimously 5-0.

**AWARD: DEMOLITION CONTRACT**

After following property procedures, the Board authorized the advertisement of the demolition of the structure located at 494 Bairdford Road Bairdford, PA 15006.

Lot/Block # 1669 – F- 33  
Owner: Neil Flortine (Deceased)

The project was advertised and sealed bids were received until 10:00 A.M. on Wednesday, August 19, 2020, at which time they were opened and read aloud.

Bidders:	Total:
1) Eveready Contracting	\$7,100.00
2) Aiello Enterprise	\$7,540.00
3) Ron Gillette Inc.	\$8,400.00
4) John Kapustik Excavating	\$8,575.00
5) A.P. Wise Excavation & Demolition LLC	\$9,100.00
6) T.A Gall.Inc	\$9,800.00
7) McKinney Excavating & Contracting LLC	\$10,300.00
8) Stalczynski Contracting LLC	\$13,500.00

Mr. Payne named the contractors and bid amounts for the Board. He recommends Eveready Contracting after he contacted Turtlecreek Cog for a reference and they stated that they are a responsible bidder.

MOTION BY Supervisor Forbes and SECONDED BY Supervisor Hollibaugh to award the demolition project to Eveready Contracting for the structure at the property located at 494 Bairdford Road Bairdford, PA 15006 in the amount of \$7,100.00. Motion carried unanimously 5-0.

**DISCUSSION: FALSE ALARM ORDINANCE**

Mr. Forbes summarized the existing False Alarm Ordinance and added that Mr. Robb will be defining what constitutes a false alarm and would increase the fine to \$100 per year after two false alarm calls.

Mrs. Jordan stressed the importance of the change of the ordinance due to the amount of false alarm calls the fire departments are receiving.

Mr. Forbes pointed out that a draft of the ordinance will be complete for the September business meeting to discuss and – if approved – authorize the advertisement of the ordinance.

**DISCUSSION: MUNICIPAL PENSION PLAN MANAGEMENT**

Mr. Forbes stated that he and Mrs. Jordan had looked over the union contracts and came to the conclusion that the Board should consider an RFP due to the length of time that the employee pensions have not been reviewed with other investment parties to try to decrease the fees or to increase the return of the pension funds.

Mrs. Jordan wanted to clarify that this reviewing of other options would not say the Board has to switch but to ensure that the Board is being responsible with the funds since it is not their money. She asked Mr. Maudhuit and Mrs. Hollibaugh if they were opposed to looking for proposals.

Mr. Maudhuit and Mrs. Hollibaugh supported looking for proposals.

Mr. Robb informed the Board of Pennsylvania Act 44 that was passed in 2009 that made the process of proposals much more involved than in the past. He stated he is not suggesting the Township does not entertain other proposals, but wanted to stress that there are many additional administrative hoops to go through for this process.

Mr. Karpuzi voiced that he felt the Board should take their time with this project and do it correctly, but that he supported it.

Mr. Mator agreed that it was prudent to “shop” the management of the plans since it had been a while since it had last been done, but informed the Board that Manning & Nappier had outperformed every benchmark since he had been the Township Manager. He voiced that shopping the service may not be so much about saving money on fees as it would be exploring the rates of return.

Mr. Mator also said that the MMOs had been growing exponentially, and that the Board needed to reach out to the Township Actuary to manage future costs, which he said could possibly be unsustainable no matter which pension manager the Township contracted with.

More discussion was held.

**DISCUSSION: REAL ESTATE TAX DEFERRAL ORDINANCE**

Mr. Forbes expressed his understanding of how this ordinance would help low income homeowners to defer yearly increases to their property taxes to when their home gets sold the Township would then get receive the deferred tax increases. He stated that the liens do not accrue interest.

Mr. Mator said he could support the intent, but said that – “playing devil’s advocate” – deferring tax payments may cause the Township to never receive the increased taxes. He informed the Board, for example, that if a property owner dies, has no children, and the house goes up for sheriff sale, the taxes could possibly never be collected. Mr. Mator stated that while this may prolong a homeowner to stay in their home, if they cannot afford an increase in taxes then they would possibly be unable to maintain the upkeep of their property, which in turn would decrease the value of the property to the point it may not sell at a sheriff’s sale, resulting in non-collection of those taxes.

More discussion was held.

Mr. Karpuzi requested a draft ordinance to see what the proposal would look like.

### **DISCUSSION: SHORT-TERM RENTAL ORDINANCE**

Mrs. Jordan asked for clarification that speaking of Short-term Rental Ordinance is meaning Air Bed and Breakfasts or commonly known as Airbnb.

Mr. Karpuzi stated it is, and added that currently there is nothing specifically written in an ordinance about these short-term rentals.

Mr. Forbes commented that Mr. Robb has previously reviewed the current ordinance but it is a stand-alone ordinance which Mr. Payne and the Planning Commission have been discussing to have it be regulated by the Zoning Code.

Mr. Mator said he would support the Board entertaining the issue, as Airbnbs are coming to the Township. He stated that due to the changing of the times, it is a good idea to stay ahead of it.

Mr. Robb agreed, and stressed that this is becoming a trend and will be coming to all the communities. He added the municipalities can decide on where or even if these are to be permitted.

Mrs. Jordan asked if these would be pre-approved by Mr. Payne prior to be rented out.

Mr. Robb suggested that this could be a requirement.

### **OLD BUSINESS**

Mrs. Jordan brought up the B-1 Ballfield light situation.

Mr. Mator emphasized that this dispute has been ongoing for years. He stated that most recently there had been a handshake agreement with youth baseball organization agreeing that the Township would place a lock on the box, and the organization would reach out to the Township when they were in need of the electricity to be turned on for a fee of \$150 per use. He reported that Mr. Olar told him that the Township key was not working in the lock, and that it baseball had stated it cut the lock to replace with one of their own due to the Township lock being vandalized. Mr. Mator stated that the youth organizations have therefore been using Township electricity without paying for it, but that – when it was brought to their attention – youth baseball stated they would gladly pay the bills, and asked to be invoiced for the use.

Mr. Mator asked the supervisors for direction as to how far back the Township should go with the invoicing since it was unknown exactly when the lock was cut.

Mrs. Jordan suggested going back this current year and invoicing the youth associations for the electricity that was used. She recommended going back no further. The other members were in agreement with this direction.

Mr. Mator stated the Township had been working with drafting new youth athletic association leases, and that – in baseball's situation – a meter could be added at a cost of \$1000 so Township will be able to subtract the pavilion usage that is not the youth association's

Mrs. Jordan questioned how the Community Days will be handled. Mr. Mator explained that the meter could be read and photographed prior to the lights being turned on for Community Days, then read and photographed again when the lights are finally shut off for the event. He then said the usage could be calculated and subtracted from baseball's invoice.

Mrs. Jordan asked how the Township would handle the utilities for other youth athletic organizations. Mr. Mator explained that in the draft youth organization lease that he and Mr. Robb had composed, all future utility use by the youth organizations would be their responsibility.

Mrs. Jordan again asserted that the associations should not be paying for Township usage, and that the taxpayers should not be paying for association usage. All were in agreement.

Mr. Mator informed the Board that there were issues at the parks, such as leaking water pipes in Bairdford Park. He said that correcting these issues through Park Master Plan projects would not only benefit the Township residents and associations, but would allow for better control over who uses what.

Mrs. Jordan stated she would like to see the leases be finalized, as she felt matters like the electric use at the B-1 Ballfields have been going on for too long, and – for all our our sake – “a period needed to be added” to the end of that story.

Mr. Mator agreed, and stated he felt the lease agreements would finally address all the lingering confusion. He then asked Mrs. Jordan and Mr. Maudhuit to look over the draft youth association lease agreements he sent them so they can be moved forward in the near future. They both agreed.

#### **NEW BUSINESS**

Mr. Karpuzi proposed researching a way to have free wi-fi hotspots for the Township to help with those in the Township that do not have wi-fi or strong enough wi-fi for everyone in the house since kids are returning back to school.

Mr. Mator mentioned that in regard to connectivity, he had reached out to the Township’s telecommunication legal firm – the Cohen Law Group – since they have a relationship with the internet companies, and that Mr. Dan Cohen had expressed interest in helping the Township in bolstering connectivity throughout the Township.

Mrs. Jordan added that she has to ask everyone in her home to get offline so she can use her computer for work, so she supported this effort. She commended Mr. Karpuzi for thinking of this.

#### **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