

West Deer Township
Board of Supervisors
18 October 2017
6:30 p.m.

The West Deer Township Board of Supervisors held their Regular Business Meeting at the West Deer Township Municipal Building. Members present: Richard W. DiSanti, Jr., Vice Chairman; Leonard Guerre, Shirley Hollibaugh, Joyce A. Romig, and Gerry Vaerewyck. Members absent: Jeffrey D. Fleming, Chairman; and Rick W. Florentine. 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

Vice Chairman DiSanti 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 6:00 p.m. to discuss the three union agreements, one employee issue, and briefly discussed the item on the agenda addressing Chairman Fleming.

REGISTERED COMMENTS FROM THE PUBLIC

- None

COMMENTS FROM THE PUBLIC

Vice Chairman DiSanti 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.

- Ms. Maureen McDonough, 542 Benjamin Street, addressed the Board with her concerns on the paving of Benjamin Street by Shields Asphalt. She stated that she is disabled and felt the connection to her driveway is hazardous. Ms. McDonough distributed pictures and a letter from her social worker, and stated that she felt her driveway should be smooth like her neighbors.

Mr. Shoup explained that the original curb in conjunction with her driveway pitch caused cars to scrape bottom. He stated that Shields Asphalt – upon Ms. McDonough’s request – milled her driveway down to correct the problem. He also mentioned that the Public Works Foreman inspected the millwork and said he saw no problem with it.

Mr. Shoup explained that Shields Asphalt is not willing to do anything more.

After further discussion, Mr. Yourish will contact Ms. McDonough next week to address her concerns.

ACCEPT MINUTES

MOTION BY Supervisor Guerre and SECONDED BY Supervisor Hollibaugh to accept the minutes of the September 20, 2017 meeting as presented. Motion carried unanimously 5-0.

MONTHLY FINANCIAL REPORT

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

TOWNSHIP OF WEST DEER
FINANCE OFFICER'S REPORT
September 30, 2017

I - GENERAL FUND:

	<u>August</u>	<u>YTD</u>	<u>% of Budget</u>
Revenues	502,042.34	4,962,544.76	81.04%
Expenditures	727,122.53	4,266,084.42	69.66%

Cash and Cash Equivalents:

Sweep Account	1,031,531.32	1,031,531.32
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II - SPECIAL REVENUE FUNDS**Cash and Cash Equivalents:****Street Light Fund:**

Sweep Account - Restricted	14,320.06
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Fire Tax Fund:

Sweep Account - Restricted	108,510.69
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State/Liquid Fuels Fund:

Sweep Account - Restricted	222,243.50
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345,074.25**Investments:****Operating Reserve Fund:**

Sweep Account - Reserved	704,588.86
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Capital Reserve Fund:

Sweep Account - Reserved	349,715.93
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1,054,304.79**III - CAPITAL PROJECT FUNDS:****Cash and Cash Equivalents:**

0.00

0.00**TOTAL CASH BALANCE 9/30/17****2,430,910.36****Interest Earned September 2017****240.92**

	<u>9/1/2017</u> <u>Debt Balance</u>	<u>September</u> <u>Principal</u> <u>Payment</u>	<u>9/30/2017</u> <u>Debt Balance</u>
Mars National - VFC #3	\$256,498.14	\$2,607.94	\$254,625.85

MOTION BY Supervisor Guerre and SECONDED BY Supervisor Hollibaugh to approve the Finance Officer's Report as submitted. Motion carried unanimously 5-0.

LIST OF BILLS

Air-Vac Inc.....	7230.00
Best Wholesale Tire Co., Inc.....	364.28
Dell Marketing LP.....	3958.80
Digital-Ally	14240.60
Griffith, McCague & Wallace, PC	1824.00
Jordan Tax Service, Inc.	1281.16
Kress Tire	1401.00
Management Science Associates, Inc.....	2399.00
Office Depot.....	932.63
Shoup Engineering Inc.	13393.50
Staley Communications.....	1266.60
The Lane Construction Corporation.....	3773.28
Toshiba Financial Services.....	606.17
Tristani Brothers, Inc.....	1595.02

MOTION BY Supervisor Guerre 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 5-0.

UTILITIES AND PAYROLL

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Guerre to pay utilities and payroll from 19 October 2017 to 15 November 2017. Motion carried unanimously 5-0.

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 2016 and 2017.

2016 REAL ESTATE TAX REFUND

<u>NAME</u>	<u>LOT/BLOCK</u>	<u>AMOUNT</u>
Colledge, James A / Mikell	1670-G-61	\$175.34
Adamik, Michelle	1217-A-109	\$128.55

2017 REAL ESTATE TAX REFUND

<u>NAME</u>	<u>LOT/BLOCK</u>	<u>AMOUNT</u>
Adamik, Michelle / Guerrieri	1217-A-109	\$212.47
Colledge, James A / Mikell	1670-G-61	\$239.50
Rebecca Residence	1215-J-221	\$547.17
Redevelopment Auth of Allegheny County	1838-P-225	\$ 8.23
Redevelopment Auth of Allegheny County	1361-M-305	\$ 61.00

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Guerre to issue the tax refunds as submitted by the Tax Collector. 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 September 2017. A copy of the report is on file at the Township.

- **Law Enforcement Explorer Post**– Chief Lape also provided the Board with information on the proposed Law Enforcement Explorer Post Program. It is the preeminent career orientation and experience program for young people contemplating a career in the field of criminal justice. Its mission is to offer young adults, ages 14-21, interested in a career in law enforcement a personal awareness of the criminal justice system through training, practical experiences and other activities. The Board agreed for the Police Department to start the proposed Law Enforcement Explorer Post Program in the Township.

BUILDING INSPECTOR/CODE ENFORCEMENT OFFICER'S REPORT

Mr. Bill Payne was present and provided a summary report on Code Enforcement for the month of September 2017. A copy of the report is on file at the Township.

PARKS AND RECREATION BOARD REPORT

Mrs. Beverly Jordan, Chairwoman, was present and provided a summary report on the Parks and Recreation Board:

- September 27th: Parks & Recreation meeting
- October 28th: Trunk or Treat at East Union Presbyterian Church – 6 pm to 8 pm
- December 10th: Breakfast with Santa Claus at Fire Hall No. 1
- Haunted House is opened – 10% comes back to the Township and a portion will be donated by Shawn Maudhuit to “Monsters Against Bullying”
- Budget submitted

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:

DEVELOPMENTS/PROJECTS

Mr. Shoup updated the Board on the following developments/projects:

- Nike Site/Senior Center Parking Lot Projects
 - Work on this project is nearly complete with paving work on-going and line striping to follow.
- AVJSA Act 537 Plan Update
 - Mr. Shoup attended multiple meetings regarding the Act 537 Plan Update. Based on conceptual plans, the proposed treatment plant and pump station expansion has a preliminary cost of \$62,000,000. The Act 537 Plan should be presented to the Township by the end of the year.
- Cedar Ridge Storm Sewers
 - Insight Pipe has completed the CCTV and cleaning work on this project. (Additional monies were spent as per the motion at the September 20th meeting).
- EMS Building Subdivision

- Mr. Shoup met with the Solicitor to review the subdivision requirements to formally create the parcel of land on which the EMS building sits. The subdivision will require a survey and plotting of approximately 17 acres of the School District property. The cost for preparation of the survey subdivision would be \$4,600.00.
- Mr. Mator asked Mr. Happel to request the School District pay half of the amount of the survey.

Development/Subdivision Reviews

- None

ACKNOWLEDGEMENT OF UNSAFE STRUCTURE: 71 NORRIS LANE

- Notice of Unsafe Structure
- Property located at 71 Norris Lane in Tarentum
- Lot/Block #2013-D-349
- Deed Book 11498, Page 10

Two structures were inspected by William Payne, Code Enforcement Officer and determined, pursuant to Township Ordinance 172 that the house located thereon is in a dangerous condition and constitutes a public nuisance. Specifically, the house is in violation of Article VI Houses and Community Environment of Allegheny Health Department Rules and Regulations and the manufacture home is an illegal structure per West Deer Zoning Ordinance No. 394 and PA Department of Community and Economic Development.

The Board received copies of the listed violations.

Mr. Happel will review this issue.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Romig to table until Mr. Happel can make a resolution. Motion carried unanimously 5-0.

ADOPTION: ACT 172 (FIREFIGHTER EIT CREDIT) ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF WEST DEER, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 388 BY ESTABLISHING A VOLUNTEER SERVICE CREDIT PROGRAM; AUTHORIZING LOCAL TAX CREDITS FOR VOLUNTEER MEMBERS OF VOLUNTEER FIRE COMPANIES AND NONPROFIT EMERGENCY MEDICAL SERVICES AGENCIES; AND ESTABLISHING ADMINISTRATIVE PROCEDURES AND APPEALS.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Guerre to adopt Ordinance No. 418 amending Ordinance No. 388 by establishing a Volunteer Service Credit Program; authorizing local tax credits for volunteer members of volunteer fire companies and nonprofit emergency medical service agencies; and establishing administrative procedures and appeals. Motion carried unanimously 5-0.

ADOPTION: RESOLUTION NO. 2017-9 (PUBLIC WORKS UNION AGREEMENT)

The Board received a copy of Resolution No. 2017-9, which ratifies the negotiated agreement between the Local 668 Service Employees International Union (Public Works) and the Township. This agreement is effective 1 January 2017 through 31 December 2020.

A RESOLUTION RATIFYING THE NEGOTIATED AGREEMENT BETWEEN THE LOCAL 668 SERVICE EMPLOYEES INTERNATIONAL PUBLIC WORKS UNION AND WEST DEER TOWNSHIP, EFFECTIVE 1 JANUARY 2017 THROUGH 31 DECEMBER 2020.

The signed agreement was provided to the Board of Supervisors for review at the Executive Session prior to the meeting.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Guerre to adopt Resolution No. 2017-9 ratifying the Local 668 Service Employees International Union (Public Works Union) Agreement, effective 1 January 2017 through 31 December 2020, and to authorize its execution by the Chairman of the Board of Supervisors and the Township Manager. Motion carried unanimously 5-0.

ADOPTION: RESOLUTION NO. 2017-10 (SECRETARIAL UNION AGREEMENT)

Mr. Mator recommended both this Resolution and the next be tabled since the unions have not yet gotten signed agreements back to the Township.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Guerre to table. Motion carried unanimously 5-0.

ADOPTION: RESOLUTION NO. 2017-11 (POLICE UNION AGREEMENT)

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Guerre to table. Motion carried unanimously 5-0.

ADVERTISEMENT: SALE OF PUBLIC WORKS PICKUP TRUCK

The Public Works Foreman recommended the sale of the 2007 GMC 2500 HD pickup truck with 4x4 plow and tool box, as is condition.

MOTION BY Supervisor Guerre and SECONDED BY Supervisor Hollibaugh to authorize the advertisement to sale the 2007 Public Works pickup truck, as is condition. Motion carried unanimously 5-0.

AUTHORIZATION: GUIDERAIL PROJECT

The following quotes were received for the Guiderail Project to furnish and install guiderails on Trump Road, Benjamin Street, and Monier Road.

BIDDERS:	TOTAL:
1) Fence by Maintenance Service	\$19,293.00
2) Penn Line Service	\$19,540.63
3) Allegheny Fence Construction Co.	\$24,815.00

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Guerre to award the Guiderail Project to Fence by Maintenance Service in the amount of \$19,293.00 for Trump Road, Benjamin Street, and Monier Road. Motion carried unanimously 5-0.

AUTHORIZATION: NIKE SITE PAVILION

As a requirement of the Township’s DCNR Grant for the Nike Site, a pavilion must be constructed at the Park. The DCNR recommended using the Pennsylvania COSTARS Program.

- 1) Jeffrey Associates..... \$52,227.00
- 2) General Recreation Inc..... \$58,116.00

Mr. Shoup explained the quotes, the construction and location of the pavilion, and made recommendation to award the purchase and installation to Jeffrey Associates. Mr. Mator concurred.

MOTION BY Supervisor Vaerewyck and SECONDED BY Supervisor Hollibaugh to award the purchase and installation of a 24’ x 34’ metal pavilion at the Nike Site Park to Jeffrey Associates in an amount not to exceed \$52,227.00 as per the Pennsylvania COSTARS Program. Motion carried unanimously 5-0.

DISCUSSION: CHAIRMAN FLEMING

In an email dated 10 October 2017, Supervisor Vaerewyck wrote: “I would like on the agenda to have Jeff Fleming removed for missing 3 consecutive meetings per the Charter.”

Mr. Happel explained that the Charter does have a provision for possibly removing a supervisor for missing certain meetings. He stated, however, that in 2003 the Supreme Court of Pennsylvania held that the Second Class Township Code’s provision for removing supervisors was unconstitutional, and in doing so it required that any removal of an elected official has to be done in accordance with the method and the process required by the Pennsylvania State Constitution. Mr. Happel tied that to West Deer by stating the Home Rule Charter does not comply with the method and the process required by the Pennsylvania State Constitution, and therefore cannot be followed by this Board.

Mr. Happel also indicated this item was brought up to the Charter Commission, and that it will more than likely be revised.

No further action taken.

DISCUSSION: INTERNET SALE “SAFE MEETUP SPOT”

At the September Regular Business Meeting, Supervisor Vaerewyck brought up designating the Township Municipal Building parking lot as an internet sale “safe meetup spot.” Other Supervisors, the Police Chief, and Township Manager expressed concerns over liability and creating a false sense of security for residents, and the Chief and Solicitor were asked to look into this matter further.

Chief Lape pointed out that he hasn’t heard anything good or bad.

Mr. Happel commented two concerns he has on the issue:

- 1) He indicated the Township would be inviting people to enter onto its property and conduct private transactions. This, he said, raises concerns of transactions of the Unity Act which covers the business of buying or selling, and then being injured in the process.
- 2) He added that if the Township created a safe spot, it is creating a special relationship where people need to be protected all the time, and that is very difficult for the Township to do. He explained that it may be monitored via cameras, but there cannot be police protection at all times of the day for people to conduct private transactions.

No further action taken.

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. Florentine – North Hills COG Report
 - Mr. Guerre announced the COG meeting is tomorrow night and indicated he will attend if Mr. Florentine cannot attend.

OLD BUSINESS

- Mrs. Hollibaugh attended and reported on the Allegheny County Association of Township Officials Fall Conference at Seven Springs. She reported the following topics discussed: Preventing Cyber Crime in Your Community; Driverless Cars; Opioid Crisis; State and County with Amazon; Blight in Philadelphia/selling properties in 30 days; Rich Miller & Mike Palumbo were present discussing contracts; and Senator Casey & Senator Toomey in regard to the *60 Minutes* show on Sunday night about the drugs (Casey took \$105,600.00 for his campaign and Toomey took \$116,800.00). She also stated that they talked about the gas leases – West Deer has the most with 5,325; Fawn has 3,872; and North Fayette has 5,070. Mrs. Hollibaugh said the conference was fantastic and that there were so many interesting topics.
- Mrs. Hollibaugh also reported she will be attending the ACATO meeting the following night. Mr. Mator congratulated Mrs. Hollibaugh for being voted Second Vice President for ACATO.
- Dr. DiSanti questioned the Airport Hill and Creighton-Russellton Road winter maintenance. Mr. Mator explained he finally heard from PennDOT, and that the item will be on next month's agenda for discussion and possible vote.

NEW BUSINESS

- None

SET AGENDA: REGULAR BUSINESS MEETING

15 November 2017

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. Bids: Demolition at 71 Norris Lane
14. Advertisement: Charter Commission Ordinance
15. Advertisement: Nike Site Backfilling/Landscaping
16. Authorization: North Hills COG Walking Trail (CDBG Grant) Bids
17. Authorization: Sale of Public Works Pick Up Truck
18. Committee Reports
19. Old Business
20. New Business
21. Set Agenda: 20 December 2017
22. Comments from the Public
23. Adjournment

Items Added:

- Airport Hill & Creighton Russellton Road
- Secretarial Union Agreement
- Police Union Agreement

TWO – 2018 PUBLIC BUDGET WORKSHOP MEETINGS WILL OCCUR THIS YEAR:

- Thursday, November 2nd at 6:30 p.m.
- Immediately following the Regular Business Meeting of November 15th.

COMMENTS FROM THE PUBLIC

- None

ADJOURNMENT

MOTION BY Supervisor Hollibaugh and SECONDED BY Supervisor Guerre to adjourn the meeting at 7:40 p.m. Motion carried unanimously 5-0. Meeting adjourned.

Daniel J. Mator, Jr., Township Manager