

**Union Township Board of Supervisors  
Non-Legislative Meeting  
January 9, 2019  
6:30 pm.**

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 6:40 pm. The pledge of allegiance was recited.

Board members in attendance by roll call were Heather Daerr, Richard Lawson, and Charles Trax. Supervisors Lawson and Trax remotely joined the meeting via telephone conference call. Supervisor Trax arrived at the meeting at 7:05 pm.

Also, in attendance Gary Sweat-Solicitor, Nicole Dooley-Secretary/Treasurer, Joan Carmen-Asst. Secretary/Treasurer, James Harshman-Engineer, Jarrod D'Amico-Zoning/Code Enforcement Officer, Tom Kelley-Acting Road Superintendent, and Kevin Harris-City of Monongahela Police.

**Public Comment:**

Kevin Daerr: (No Address Given) expressed his interest in serving Union Township on a seat of the Zoning Hearing Board and Peters Creek Sanitary Authority Board. Mr. Daerr submitted a letter of interest and asked the Board for their consideration of appointment.

Road Superintendent, Tom Kelley reported to the Board of Supervisors on the following highlights: the Gilmore Road Drainage Project, 5 Davidson Avenue subsidence along the storm sewer easement, the temporary shut down of Finleyville-Elrama Road, a Gun Club Road guide rail issue, McChain Road water leak, 20 Boyka Drive icing condition, the Nike Site leveling project, the Nike Site electrical, the Gilmore Road Dirt Gravel Low Volume Road Grant Project and Veterans Memorial Park waste containment tanks. Mr. Kelley also reviewed the Road Crews monthly activities that involved maintenance on roads, storm and sanitary sewers, park, equipment, signs and traffic controls.

City of Monongahela Police Officer, Kevin Harris reported to the Board of Supervisors regarding the calls for service, accidents, charges, criminal complaints, overdoses, and arrests for the month of December.

Zoning/Code Enforcement Officer, Jarrod D'Amico reported to the Board of Supervisors that six new complaints were investigated and notices were sent to the individuals in violations, Moving forward in his report, Mr. D'Amico stated a warning was sent to the homeowners of 20 Boyka Drive regarding the pipe they have draining into the street and the pipe is scheduled for reinspection, Mr. D'Amico informed the Board, if the pipe is still discharging into the roadway, the property will be appropriately posted. Next, Mr. D'Amico noted the owners of multiple properties on Pleasant Street are making progress removing the solid waste. However, there are eleven nuisance vehicles in various areas of the properties. Mr. D'Amico stated if Mr. Castor makes substantial progress on the solid waste removal, his office will allow additional time to remove the vehicles and dangerous structures. Moving on, Mr. D'Amico reported the owner of Stone Church Trailer Park was found guilty by Judge Pettit, for a fine total of \$1,000.00, two trailers and a lot of debris need to be removed from the park, and citations have been sent to the four Stormwater pond owners. Mr. D'Amico informed the Board of Supervisors that the Shire HOA President is asking for a continuation until the end of the first quarter of this year to determine what can be done. Mr. D'Amico is recommending a 120-day continuance to allow time for the maintenance to be completed and the pond to be re-inspected. Lastly, Mr. D'Amico reported he had issued one Building Permit, one Zoning Permit, four Change of Address Permits, and four Township Permits. The 2018 total of permits issued was \$18,988.19.

Supervisor, Heather Daerr questioned Mr. D'Amico about Banahasky Lane. Mr. D'Amico reported he received a complaint about a fence being erected on another individual's property without proper permitting. The individual who built the fence submitted a Zoning Permit; it was denied because it appeared to be on

someone else's property. The individual who erected the fence removed 6' of the fence. As far as the code reads the property owner should be cited for the fence. Solicitor Sweat noted the situation is a trespass without a permit. The applicant was asked to submit a hand-written letter that they own the property or have the permission of the property owner to erect the fence. The property owner wants the fence removed. Solicitor, Gary Sweat noted the property owner should be cited for the fence. Supervisor, Heather Daerr stated on Belmont and Finleyville-Elrama Road there is a home with a mound of trash and porta john in the front yard. Mr. D'Amico said he is aware of the mess, a crew was cleaning out the property. However, he will review and send a notice to the owner. Solicitor Sweat reported the Township was served with a subpoena regarding a lawsuit filed in Allegheny County. The Plaintiffs Attorney stated there are some Zoning issues. Mr. D'Amico said he has been in contact with the Plaintiffs Attorney.

Engineer, James Harshman reported there had been some compliance with a few of the owners of the Stormwater ponds. Mr. Harshman informed the Board of Supervisors that advanced notice had been sent to four new Stormwater pond owners within Union Township and that the pond located on Phoenix Drive (off Cardox Road) has been inspected and is in good shape. Mr. Harshman added two additional ponds to the Shire Property. The second pond shows as Township owned property, however, the deed record shows as the HOA owns the pond. The third pond is in the third phase of the development, which has never actually been built. Next, Mr. Harshman reported the Geotechnical Engineer for the Tomko Grading Project has been providing Mr. Harshman's office with more reports. Mr. Harshman noted Tomko's Geotech Engineer has changed their position and confirmed a drum roller is acceptable for site compaction. Moving on, Mr. Harshman reported on January 23, 2019; there will be a workshop with Senate Engineering regarding the update on the Act 537 Plan at 5:30 pm. Mr. Harshman noted he still has not heard anything back from the Drusbasky's Attorney regarding an easement to put the cross pipe back in on Mingo Circle. Mr. Harshman stated that the Overlook Sewer Project's final design is close to being finished and sent to the DEP for Water Quality Permits. Next, Mr. Harshman informed the Board that Mingo Road Gun Club came to Union Township a year ago for a Heavy Hauling Permit. They paid the application fee and provided an escrow; however, never provided the Township with the required \$17,000.00 Road Bond. Video logging of the road was completed last March. Since the application was not complete permits were not issued, the escrow was not cashed. Mr. Harshman stated he advised the Mingo Rod and Gun Club they need to provide the Township with a new escrow check as well as the applicable fees for the completed video log of the road from last March. Mr. Harshman noted they had submitted a Grading Permit Application to extend the rifle ranges. This would be considered an existing non-conforming use in that district. Expansion of a non-conforming use requires a Zoning Hearing Board Approval. The Mingo Road Gun Club asked for a meeting with the Township Engineer and Solicitor. Mr. Harshman agreed to a meeting if the Gun Club provides the Township with an Escrow to cover the costs of the meeting. Lastly, Mr. Harshman stated he got an email from the Rail Road asking about the status of the agreement and payment for preliminary Engineering fees on Railroad Street.

Supervisor, Richard Lawson questioned Mr. Harshman if we have results of the LSA application for the Ridge Bridge Project. Mr. Harshman noted nothing was received. Supervisor, Lawson informed Mr. Harshman that he has complete ENS and Grading Drawings for Tuscany Estates that he will forward to Engineer Harshman. Supervisor, Heather Daerr reported to Mr. Harshman an entire box of historical documents for W.G. Tomko has been located. Solicitor Gary Sweat informed Mr. Harshman that representatives from EQT would like to meet with the Engineer, Solicitor, and Supervisors Lawson & Chasko on Thursday, January 17, 2019, at 3:00 pm. Supervisor, Heather Daerr asked Engineer Harshman if he would like to report the news regarding PennDOT's Bridge Replacement Project. Engineer James Harshman stated he had received word from Walsh Granite that PennDOT has canceled the Bridge Replacement Project because they cannot secure the necessary right-of-way. PennDOT may reconsider the project in the future. Walsh Granite has requested the agreement be terminated, Mr. Harshman has forward that information to Solicitor Sweats office. Supervisor, Heather Daerr stated in her opinion that was devastating information for Union Township. That was an improvement for Township residents.

Solicitor, Gary Sweat informed the Board of Supervisors the EQT meeting would be next Thursday, January 17, 2019, at 3:00 pm with Supervisor Lawson and Chasko. Next, Solicitor Sweat reported he has been working with Secretary, Nicole Dooley regarding the back pay for former deceased Road Department Employee, Glenn Shoemaker. Mr. Shoemaker was due back pay from a Union Contract. Mr. Sweat explained that his office is trying to determine how payment is to be made. Mr. Sweat stated unless the family can provide full releases in writing the check would be made payable to the Glenn Shoemaker Estate, it would be the families' responsibility to determine who probates Mr. Shoemakers will. Mr. Sweat stated he is still working with the DEP regarding the amendment environmental covenant to get the Act 2 clearance to close the Elrama Chrome Shop Project. Mr. Sweat is still dealing with the Semulka case. Mr. Semulka has proceeded to Federal Court. If the case is filed, Union Township will have to respond with an affidavit to dismiss. Next, Mr. Sweat noted his office is dealing with a letter from a sub-contractor for Sunoco that intends to file a Mechanics Lien against Township property. Mr. Sweat stated, in this case, it would have to be Township right-of-way. Mr. Sweat stated his position is you cannot lien or adversely possess Township property. To date, no lien has been filed.

Engineer, James Harshman reported to the Board of Supervisor, he had brought with him a binder and maps for the MS4 program which will be available for public consumption for the next thirty days. Mr. Harshman informed the Board of Supervisors he would need a check by March, made payable to the DEP for \$2,500.00 for the MS4 application.

**Review of agenda items:**

The following items were on the agenda for discussion.

- A. Consider Tuscany Estates Use of Meeting Room & Meeting Schedule.
- B. Consider filing Municipal Lien on Tax Parcel ID 640-009-03-00-0068-00. (Quaker Engineering Property)
- C. Approve/Deny MS4 Pollution Reduction Plan (PRP) Advertisement Notice.
- D. Consider Frank Palermo Quotes.
- E. Discuss developing a process for Supervisor approval of new projects and expenditures before any professional service action.
- F. Discuss professional services bill submission due 30 days prior to due date for Supervisors review.
- G. Consider all professional service report deadline one week before Non-Legislative meeting.
- H. Discuss Supervisor Workshop to review Township files and documents.
- I. Discuss a records retention ordinance for the purging of outdated Township documents.
- J. Discuss professional services attendance at meetings.
- K. Discuss requirements/checklist for new development in Union Township.
- L. Consider discontinuing cleaning service of Union Township Municipal Building.
- M. Discuss Appointments for the following openings:
  - \*Union Township Board of Supervisors
  - \*Planning Department
  - \*Parks & Recreation Board
  - \*Zoning Hearing Board (1 Regular Seat, 1 Alternate Seat)
  - \*PCSA (2 Open Seats)
  - \*Vacancy Board Chairman
- N. Discuss Municipal Lien & Sheriffs sale of 48 Davidson Avenue.
- O. Discuss Elrama Sewerage/WESA taskforce.
- P. Discuss Union Township Board of Supervisors Meeting schedule and approve advertisement
- Q. Discuss attendance at active shooter training, February 4, 2019, at 7:00 pm.
- R. Any additional items.

**Motion** to approve advertisement notice for MS4 Pollution Reduction Plan Notice.

**Motion** by Heather Daerr, Second by Charles Trax

**Roll Call Vote:** Richard Lawson-YES, Charles Trax-YES, Heather Daerr-YES. **Motion Carried.**

**Agenda item F.** The professional services agreed to submit invoices thirty days in advance for Supervisor review.

**Agenda item M.** Supervisor Heather Daerr publicly thanked Deborah Sargent for her years of community service to Union Township. She noted the Board is accepting letters of interest for the open Supervisor seat. Next, the Board of Supervisors discussed the appointments of Supervisors to the Planning Department for 2019.

**Motion** to appoint Kevin Daerr to the Zoning Hearing Board with a term to expire December 31, 2021.

**Motion** by Charles Trax, Second by Richard Lawson

**Roll Call Vote:** Richard Lawson-YES, Charles Trax-YES, Heather Daerr-ABSTAIN. **Motion Carried.**

**Motion** to appoint Richard Lawson to the Peters Creek Sanitary Authority Board.

**Motion** by Heather Daerr, Second by Charles Trax

**Roll Call Vote:** Richard Lawson-ABSTAIN, Charles Trax-YES, Heather Daerr-YES. **Motion Carried**

**Motion** to appoint Kevin Daerr to the Peters Creek Sanitary Authority Board.

**Motion** by Charles Trax, Second by Richard Lawson

**Roll Call Vote:** Richard Lawson-YES, Charles Trax-YES, Heather Daerr-ABSTAIN. **Motion Carried.**

**Motion** to appoint Heather Daugherty to the Parks and Recreation Board to fill the unexpired seat of Lisa Morris to expire December 31, 2020.

**Motion** by Heather Daerr, Second by Charles Trax

**Roll Call Vote:** Richard Lawson-YES, Charles Trax-YES, Heather Daerr-YES. **Motion Carried.**

Engineer James Harshman stated the Township needs to appoint a UCC Appeals Board. Mr. Harshman would forward information to the Board of Supervisors for review. Members of the UCC Appeals Board should be members of Union Township. The Township can, however, partner with other Townships in creating a UCC Appeals Board.

**Agenda item N.** 48 Davidson Avenue is scheduled for Sheriff's sale on February 1, 2019. Solicitor Sweat stated he is looking for Board instructions. Mr. Sweat stated that if there are bidders for the property, the Township will hope for a bidder over the amount of the attached Municipal Lien.

**Agenda item O.** Discussions amongst the Board of Supervisors, Tom Kelley, Engineer, and Solicitor ensued regarding the Elrama Sewerage system and the agreements between Union Township and West Elizabeth Sanitary Authority.

**Motion** to appoint Heather Daerr and Richard Lawson to the WESA taskforce.

**Motion** by Heather Daerr, Second by Charles Trax

**Roll Call Vote:** Richard Lawson-YES, Charles Trax-YES, Heather Daerr-YES. **Motion Carried.**

**Motion** to approve the 2019 Board of Supervisors meeting schedule advertisement.

**Motion** by Heather Daerr, Second by Charles Trax

**Roll Call Vote:** Richard Lawson-YES, Charles Trax-YES, Heather Daerr-YES. **Motion Carried.**

Secretary/Treasurer, Nicole Dooley asked the Board of Supervisors for approval to make a transfer of \$21,973.46 from the Brentwood Bank Escrow account to the General Fund for Engineer billing reflected against specific escrow accounts.

**Motion** to approve a transfer of funds from the Escrow account to the General Fund in the amount of \$21,973.46.

**Motion** by Heather Daerr, Second by Charles Trax

**Roll Call Vote:** Richard Lawson-YES, Charles Trax-YES, Heather Daerr-YES. **Motion Carried.**

**Public Comment:**

George Powell: (No Address Given) Mr. Powell asked if the Township comes across a set of blueprints for his farm, that were never signed off on by the old Board, could they please be returned to him? Mr. Powell expressed his opinions regarding a truck traffic route for the Caton Well Pad.

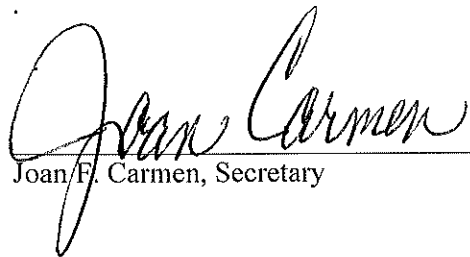
The Board of Supervisors entered executive session at 8:10 pm.

The Board of Supervisors returned from executive session at 8:23 pm. Supervisor, Heather Daerr stated the Board discussed contract negotiations and personnel.

**Motion** to adjourn at 8:24 pm.

**Motion** by Heather Daerr, Second by Charles Trax

**Roll Call Vote:** Richard Lawson-YES, Charles Trax-YES, Heather Daerr-YES. **Motion Carried.**

A handwritten signature in black ink, reading "Joan F. Carmen". The signature is written in a cursive style with a large initial "J".

Joan F. Carmen, Secretary