

**Union Township Board of Supervisors
Legislative Meeting
March 25, 2020**

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 5:06 p.m. A moment of prayer was delivered. The pledge of allegiance was recited.

Members in attendance at the Township Building were Gary Sweat, Solicitor; Richard Lawson, Supervisor; Jim Donahoe, Project Manager; Roberta Singer, Secretary/Asst. Treasurer; Ken Puglisi, Road Superintendent

Persons in attendance via video phone conference were: Engineer Jessica Stiner, Pastor Glen, Supervisor Frank Massari, Stephanie Paluto from EQT, John, Supervisor Charles Trax and Supervisor Heather Daerr.

No Public Comments

Amy Gonzales from Equitrans Midstream– online but no public comment
Mr. Burnsworth – online but no public comment
Unidentified Called – no public comment

Approval of the Zoning Hearing Board payroll for 2019 in the amount of \$158.80.

Motion by Rick Lawson; Second by Chuck Trax

Roll Call: Roll call Ms. Daerr – abstained but made statement that Kevin Daerr is on the Zoning Hearing Board but will not be taking any pay for this position; Mr. Lawson yes Mr. Trax yes Mr. Massari yes

Approval of Payroll dated 3/6/20 in the amount of \$15,957.61.

Motion by Rick Lawson; Second by Chuck Trax

Roll Call: Roll call Ms. Daerr – yes Mr. Lawson yes Mr. Trax yes Mr. Massari yes

Approval of Payroll dated 3/20/20 in the amount of \$17,372.35

Discussion as to why amounts are higher. Supervisor Lawson requested documentation.

Motion by Rick Lawson; Second by Chuck Trax

Roll Call: Roll call Ms. Daerr – yes Mr. Lawson yes Mr. Trax yes Mr. Massari yes

Solicitor Sweat questioned about approving minutes from prior meetings. Project Manager James Donahoe explained that minutes from last meeting(s) were just completed and the BOS has not had a chance to review same.

Solicitor Sweat's Report: Solicitor Sweat received a phone calls from Tom Shae, developer for the Mineral Beach PDR. He indicated that he would be sending Solicitor Sweat a draft of a Road Mtce. Agreement on Walter Long and stating it may be premature but based upon discussions he has had with Engineer Stiner and Supervisor Lawson and Township, but he wants to proceed and send it.

Mr. Shae is taking care of any issues regarding Walter Long Road in the Developer's Agreement and may require Developer to execute a Storm Water Mtce and Easement Agreement which are preferable to

have Developers sign when they have major developments like this. Will share with Supervisor Daerr and relay thoughts and will circulate that to the Board and Engineers Stiner and Harshman.

Conversation ensued concerning the Township's interest in maintaining the Townships sewage lines and the two 92) new developments. Some workshops to be scheduled and trying out the camera. Also, an outline as to how to proceed with the Mineral Beach and Scarmazzi Developments were discussed.

Road Superintendent's Report: Elrama Pump Stations – fault on generator and was repaired – battery issues. Going to check weekly in the future.

Tracy Bidoli letter re: Railroad Street. Discussion regarding issues on Railroad Street and wanted the Board to be aware. Ms. Bidoli wants to talk to somebody who was at previous mtg with railroad company. Supervisor Lawson stated that he, Joan Carmen, Solicitor Michael Cruny and Engineer Stiner was present, as well as personnel from Carload and PennDot. Discussion ensued about letter being sent and amounts of money already spent but suggested Supervisor Lawson could take the lead in another meeting or composing letter. Supervisor Lawson will explain prior situation to Mr. Puglisi. Discussion took place regarding what remediation can take place, so Railroad Street will not become narrower. No guiderail permitted on railroad property. Mr. Puglisi will set up meeting with resident.

Project Manager Report: Working on WESA issues and received approval regarding the hoist and trash basket down at pump station. RAM Industries stated delivery will take about 3-4 weeks due to situation. Received Right to Know paperwork – start to build timeline. Supervisor Daerr requested a WESA Manual.

Grant Updates

LSA – conference call on 26th; PennVests-Engineer Stiner and Project Manager James Donahoe working on grant with settlement office; Rich Cleveland advised about other grant possibilities and Engineer Stiner and Project Manager James Donahoe will investigate. Possibilities are: Baseball Tomorrow Fund (no match grant); GGR (Great Waves Trail) – grant applied for in the past but did not receive; most issues on hold – will follow up.

In contact with Chief Bailey, PSATS and Washington County, as well as Solicitor Sweat's office regarding the Coronavirus and procedures to stay safe.

Board of Auditors letter regarding missing minutes. Boy Scout Troop meeting and volunteer activity – not on Township time.

SEREMS – Chief Pasco provided additional PPE because of Covid-19 for team members at building. One member of SEREMS crew tested positive for COVID-19 – doing well and Chief Pascoe went on to active duty.

Attendance at Special Meeting regarding payoff for that station – continuing communication with City of Monongahela Police force.

Sewer Cleaning Machine at B&B for evaluation; issue with fuel tank and getting cost to replace. Mahoning Twp offered to split 50/50 with Union Township for replace tank.

Mingo Gun Club – when Supervisor Chasko was on Board – contacted Ken and Rep. Puskaric’s office to follow up – Township not helping them. I contacted Club and no response.

Tax Collector has own scanner for deposits.

I am helping Supervisor Lawson with new township truck.

The Police Dept substation door fixed

Still waiting for resolution on PA American Water bill re: fire hydrant service – the account is still getting serviced. Need explanation why charges are high.

Washington Financial - \$614.00 interest earned. Supervisor Daerr asked how the interest earned in Washington Financial account stacks up to the Brentwood Bank earnings. Interest rate is close but will confirm and report back.

Since Mr. Opferman’s passing – we can accept applications for another Supervisor. Must wait 30 days. This is formal notice he can no longer serve as he is deceased. 30 days run from tonight. Ad has been placed on Facebook; Supervisor Massari joined BOS and therefore, have not taken ad down. We can continue running ad. Board interested in receiving letters of interest and appointment of new Supervisor. If after 15 days no decision has been made with vacancy board, a Petition is filed with a Court of Common Pleas and a Judge would appoint a replacement. Received resumes but were not residents of Union Township. Supervisor Daerr stated she feel it is in poor taste to advertise and ad be taken down from Facebook until decision is made how to proceed.

Approve / Deny Lawn Mtce Contract \$14,950.00 - Spinneweber

Motion by: Lawson Second by: Massari

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Approve / Deny Wastewater Systems Services - Research to continue. Accept bid on month to month basis with probation period; Contract to be 4 hrs week for routine mtce. Need discussion at Non-Leg meeting after more research is done. Contractor needs to be licensed with DEP. WESA walking away – Thomas Bibby was discussed and confirms he will clean out trash basket. Non-regulated waste. Maintenance is part of Mr. Bibby’s regular contract per Jamie Harshman.

Motion by: Lawson Second by: Daerr

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Approve / Deny – PO 2020-016 Jason Park fence install for \$3,010.00

Motion by: Daerr Second by: Lawson

Roll Call: Daerr=yes; Trax=yes; Lawson=yes; Massari; yes

Motion Carried

Approve/Deny - GWS Contract

Motion by: Daerr Second by: Lawson

Roll Call: Daerr=yes; Trax=yes; Lawson=yes; Massari; yes

Motion Carried

Approve / Deny – Ken Puglisi & Jim Donahoe to attend ESM training for DGLVR grant

Motion by: Daerr Second by: Lawson

Roll Call: Daerr=yes; Trax=yes; Lawson=yes; Massari; yes

Motion Carried

Approve / Deny – new logo for new truck – still under budget

Motion by: Daerr Second by: Trax

Roll Call: Daerr=yes; Trax=yes; Lawson=yes; Massari; yes

Motion Carried

Approve / Deny – Resolution 03-2020 Viscuso / Massari Sewage Planning Module

Motion by: Daerr Second by: Lawson

Roll Call: Daerr=yes; Trax=yes; Lawson=yes; Massari; abstain

Motion Carried

Approve / Deny – Vignoli Subdivision Plan conditioned upon compliance with HCEG letter dated 3/10/2020.

Motion by: Lawson Second by: Massari

Roll Call: Daerr=yes; Trax=yes; Lawson=yes; Massari; abstain

Motion Carried

Approve / Deny – extension and/or validity of the Conditional Use Approval given to EQT to construct a drill pad and conduct related oil and gas operations on the Garvin Well site through 2022.

Motion by: Lawson Second by: Massari

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Approve / Deny – Highland Village Subdivision Phase I conditional upon compliance with Harshman letter of 3/9/2020. - including request for 2 modifications. Add Agenda Item

Motion by: Lawson Second by: Trax

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Approve / Deny – Highland Village Subdivision motion to add as agenda item and open to public and to anyone conditional upon compliance with Harshman letter of 3/9/2020.

Motion by: Massari Second by: Lawson

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Approve / Deny – Highland Village Subdivision motion to add as agenda item and open to public and to anyone conditional upon compliance with Harshman letter of 3/9/2020

Motion by: Massari Second by: Lawson

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Approve / Deny – Conditional Use Approval given to EQT to construct a drill pad and conduct related oil & gas operations on the Garvin Well Site through 2026. Received conditional use approval on 4/24/2019, Agreement between EQT and Union Township. Approve and confirm validity of Conditional use Permit issued to EQT by this Board on 4/24/2019 based on recommendation of EQT that they have applied for permits and diligently pursuing permits as required by Oil & Gas Act and required by DEP that this conditional use approval will extend through the year 2022 so long as EQT maintains its permits with DEP, complies with conditions set forth in the Conditional Use Decision of the Board dated April 24, 2019 with the understanding that their activities will be governed by the existing Oil & Gas Zoning Board that is in place in Union Township.

Motion by: Lawson Second by: Trax

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Approve / Deny – Conditional Use Approval given to EQT to construct a drill pad and conduct related oil & gas operations on the Caton Well Site through 2026. Received conditional use approval on 6/27/2018, Agreement between EQT and Union Township. Approve and confirm validity of Conditional use Permit issued to EQT by this Board on 6/27/2018 based on recommendation of EQT that they have applied for permits and diligently pursuing permits as required by Oil & Gas Act and required by DEP that this conditional use approval will extend through the year 2022 so long as EQT maintains its permits with DEP, complies with conditions set forth in the Conditional Use Decision of the Board dated June 27, 2018 with the understanding that their activities will be governed by the existing Oil & Gas Zoning Board that is in place in Union Township. EQT pay agreed payment of \$275,000.00 to Union Township within thirty (30) days of the date of this approval.

Motion by: Daerr Second by: Lawson

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

#11 – Strike from Agenda

Motion by: Daerr Second by: Lawson

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

#12 – Received grievance from Union Local 205 as to how the ad was worded “permanent part-time” and “non-union”. Solicitor Sweat stated Mr. Winters not following procedure in CBA. Supervisor Lawson and Solicitor Sweat to review prior to new ad being placed.

#13 – Building Landscaping – on hold until windows fixed, tree stumps ground down. Supervisor Trax can give us ideas about planting and mulching. \$200-\$250 mulch for Township Bldg and Veterans Memorial Park. Spinneweber – lowest rates. Veterans Park – Supervisor Trax to get W. G. Tomko to donate 2 huge rocks for entrance. Supervisor Massari made comment regarding updating the lettering on the front and to install the Township symbol on the building. Supervisor Massari to inquire as to quotes for this project.

#14 – Railroad Street – Discussed in Road Superintendent’s Report. Supervisor Lawson and Mr. Puglisi will talk to resident and give her history.

#15 – Discuss VMP Field Grading – Supervisor Opferman and Supervisor Lawson had analyzed. Mr. Puglisi to put conceptual plans and ideas together. Survey on Facebook about ideas that residents would like to see. Only 1 response but did not pan out. Supervisor Lawson suggested a workshop for ideas and plans. Rec Board requested update on fence. Idea to remove fence or restretch fence. Fence

needs painted and repaired. Several ideas regarding making field larger, repairs, painting, yellow piping on top for safety. Rec Board to give input – meeting to be set up to discuss same. Project Manager James Donahoe to set up meeting/phone conference with Rec Board. Fencing prices to get “freshened up” and if grading to be done, need to put out for bid. Make field more usable for public. Instead of grading, refurbish the fence and possibly regrade with more money to regrade field that is there now. Put on agenda for next meeting re: phone meeting with Rec Board re: VMP How does rec board feel about refurbishing fence and would leave us more money and then do grading & upgrade. Upper field consideration to make more handicapped accessible. Schedule to be established to make renovations.

#16 - Cut & Fill Ordinance – Grading Ordinance. Grading & Stormwater Mgmt. Ordinance – Solicitor Sweat to follow up if Attorney Cruney sent. Put on next month’s meeting to discuss.

#17 – Nick Delishia letter – Nick called Supervisor Daerr and not sure about property lines. Mr. Puglisi spoke with Mr. Delishia; all is ok. Mr. Delishia spoke with Engineer Harshman – pipe sliding – possibly just pull it out of the creek. Not sure who installed pipe. Mr. Puglisi checks status when raining.

#18 – Strike from Agenda

#19 – Meadow Avenue Curbs – going out for bid per Mr. Puglisi – to be kept on Agenda until HCEG finishes up.

#20 – Finleyville Elrama Rd. Sewage Project – Senate Engineering not cooperating and holding up process. Carey Fox at Redevelopment on 537 Project. Carey to call Senate Engineering & DEP to get things moving in right direction per Solicitor Sweat. Peters not sure about partial funding – but we did get commitment to take sewage. Discussion regarding sewage & billing & costs. Research into grants (LSA) for funding on this.

#21 – Veterans Memorial Park All Purpose Field – Fence – already discussed.

#22 – Coal Bluff Slide – same as Delishia matter.

#23 – Hidden Hollow – Scarmazzi – discussed previously.

#24 – Messenger Article – Project Manager James Donahoe and Secretary Roberta Singer to work on within the next few days – get article prepared and send to Board for review – deadline 27th.

#25 – Code Enforcement Actions on Rt. 88 – move to open items / discussion

#26 – Bathroom Update – asbestos found in floor tile and mastic on baseboard; need to have remediated. We can still operate during the day – just needs sectioned off.

Motion to Approve final PRD for Union Highlands and to grant a Modification and Waiver concerning Hidden Hollow Road and center roadway and deviation of the horizontal curve radius based on letter of 3/9/20 from HCEG.

Motion by: Daerr

Second by: Trax

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Motion to initially approve the Highland Village Subdivision Plan based on letter of 3/9/20 from HCEG.

Motion by: Daerr Second by: Massari

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Motion to initially approve the Highland Village Subdivision Plan Phase I based on letter of 3/9/20 from HCEG.

Motion by: Daerr Second by: Lawson

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Discussion with Solicitor Sweat regarding COVID-19 and Township employees physically being in building. If employee does not feel comfortable coming into work – can take sick days and then file for unemployment. Let's wait and see what restrictions the Governor imposes. As of now, we are an essential and employees are to stay their distance; public does not have access to the building; cleaning/sanitizing/disinfecting daily; everyone using common sense.

Road Crew – Try and keep crew working; Mr. Puglisi to work on projects they can do individually – paint and clean up areas. Be creative in work plans. Keeping them apart – tell them to use their head. Employees are to refer to Governor Wolfe's statement regarding government & municipality listing of essential business. Checking on other Townships and their procedures during this time.

Supervisor Lawson questioned if there is any problem with the Road Crew going back to work as normal. Mr. Puglisi replied there was not.

Township employees going on day to day basis and make decisions as Township as situation changes. Any questions or concerns, please address Supervisors directly.

Motion to Approve Bill Pay List in the amount \$68,503.45.

Motion by: Lawson Second by: Trax

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Motion Carried

Request directed to Amy Gonzales of EQT by Solicitor Sweat – Status of pipeline railway projects regarding township property behind building? Negotiated price and then went dead. A few of the residents that were involved in extensive negotiations and then to a screeching halt. Needs to investigate this matter and will let us know. Contact is Richard Reisenberger.

Motion to Adjourn at 7:45 p.m.

Motion by: Daerr Second by: Lawson

Roll Call: Daerr-yes; Trax-yes; Lawson-yes; Massari; yes

Meeting Adjourned

A handwritten signature in blue ink, appearing to be 'MS', written above a horizontal line.

SWEAT LAW OFFICES