

Union Township Board of Supervisors  
Legislative Meeting  
March 27, 2019  
7:00 pm.

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 7:00 pm. The pledge of allegiance was recited. Pastor Ken Barner, from Crossroads Ministries, delivered a moment of prayer.

Board members in attendance by roll call were Heather Daerr, Richard Lawson, and Charles Trax. Paul Chasko and Robert Dooley

Also, in attendance Gary Sweat-Solicitor, Joan Carmen-Asst. Secretary/Treasurer, James Harshman-Engineer, Jessica Berringer-Engineer, and Jarrod D'Amico-Zoning/Code Enforcement Officer.

Public Comment: None.

Supervisor Heather Daerr suggested putting the approval of the following minutes in abeyance until Non-Legislative meeting for all Board Members to have time to review:  
January 9, 2018, Non- Legislative Meeting  
January 23, 2019, Legislative Meeting  
February 13, 2019, Non-Legislative Meeting

**Motion** to approve payroll #5 Dated March 8, 2019, in the amount of \$18,181.29.

Motioned by, Heather Daerr and Second by Richard Lawson

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

**Motion** to approve payroll #6 r dated March 22, 2019, in the amount of \$15,571.27

Motioned by Heather Daerr and Second by Richard Lawson

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

There was a conversation on record with Solicitor, Gary Swear, Engineer, James Harshman, Engineer Jessica Barringer and Supervisor, Heather Daerr concerning vacating Gilmore Road. Mr. Harshman encouraged starting the public hearing process and getting it advertised to see what objections there are if any. Mr. Sweat and Ms. Daerr had a conversation on record along with Supervisor, Richard Lawson concerning the rules for advertising the public meeting. Supervisor, Heather Daerr asked Mr. Sweat to take charge of getting this advertised.

The following unfinished business was on the agenda for this evening:

- A. Approve/Deny WESA Board Representative Board (WESA Board Meetings are Scheduled the Fourth Monday of Every Month With Their Next Board Meeting Held On April 22, 2019).
- B. Approve/Deny Mr. Paul Calderone as Vacancy Chairman
- C. Approve/Deny Messenger Full-Year Contract Payment 5% Discount if Paid Upfront
- D. Approve/Deny Quality of Life Ordinance Review by Solicitor
- E. Approve/Deny Garvin Well Pad
- F. Approve/Deny Using DGLVR Grant of \$167,900 for Vacating of Gilmore Road Improvements

- G. Approve/Deny DCED Playbook Follow Up Letter
- H. Approve/Deny Sunoco Patterson Road Paving Project.
- I. Approve/Deny Garvin Well Pad Conditional Use
- J. Discuss Bob Dooley's Suggestions on Repairs to the Following Roads:
  - Snee Road- From the Tunnel to Stone Church (Tom Kelley Stated Road Crew Put Work into Recently)
  - Mingo Circle
  - Pleasant View
  - Coal Bluff
- K. Discuss Next Steps with Ridge Road Culvert.
- L. Discuss 5014 Meadow Avenue Curb Drainage Issue.
- M. Discuss Update on Lobbs Run Road to Elevate or Lessen Flooding Issue Through Work on Inlet, etc.
- N. Discuss Update on Stonebrae Drive Water Diversion/
- O. Discuss Update from Parks & Recreation/UFAA Regarding Baseball Fields at Veterans Memorial Park.
- P. Discuss Senate Engineering Presentation to the Board Thursday, March 21, 2019.
- Q. Discuss 2019 Liquid Fuels Road Paving Projects/Next Steps With Ridge Road Culvert.
- R. Discuss Next Steps Regarding Disposition of Records.
- S. Discuss Organization of Mezzanine.
- T. Discuss Check Scanner for Tax Office.
- U. Discuss the Process to Inform Residents of Extra Amount Needed To be Paid in Addition to the Lien. (Mr. Cruny Suggestion to Add a 10 % Penalty and \$250-\$300 to Cover Administrative Fees, Legal Fees and Court Cost for Removal of the Lien and a 5% Reduction for Paying Within 30 to 60 Days

**Motion** to appoint Robert Dooley to the West Elisabeth Sanitary Authority Board  
 Motion by, Heather Daerr, Second by, Richard Lawson  
 Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – ABSTAIN  
 Motion Carried.

**Motion** to approve Mr. Paul Calderone as Vacancy Chairman  
 Motioned by, Heather Daerr, Second by Charles Trax  
 Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes  
 Motion Carried

**Motion** to approve the Messenger Full-Year Contract Payment 5% Discount if Paid Upfront  
 Motion by, Heather Daerr and Second by Richard Lawson  
 Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes  
 Motion Carried

**Motion** to approve having a public hearing on the possible vacating of Gilmore Road.  
 Motion by, Heather Daerr and Second by, Robert Dooley  
 Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

**Motion** to allow Mr. Harshman to get a ballpark cost on the Engineering fees for this project by the next meeting.

Motion by, Heather Daerr and Second by, Richard Lawson

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

There was a conversation on record with Supervisor, Heather Daerr and Engineer, James Harshman concerning the Approval of the DCED Playbook Follow Up Letter. Mr. Harshman informed the Board that he was working on an idea for a master plan of that area that is a more cost-effective way to create an industrial park in comparison to the grand schemes put together in the playbook. They were exuberantly expensive, and none of them resolved the flooding issue. Mr. Harshman stated he has sketches he put together that will resolve the flooding issue at less cost. The playbook requires hundreds of millions of dollars to make it happen. Mr. Harshman stated he would get the sketches to the Board of Supervisors, but in the meantime, the letter is okay to get the ball rolling and start the conversations.

**Motion** to approve the follow-up letter

Motion by Heather Daerr and Second by, Richard Lawson

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

Supervisor Heather Daerr asked the Board of Supervisors if they would like to schedule a workshop with Mr. Harshman to look at his master plans. The Board decided it was a Planning Department Meeting Item and it will be discussed at the next Planning Department Meeting on April 10, 2019.

Solicitor Gary Sweat recommended putting the Oil and Gas Ordinance on the front burner considering what he is hearing EQT may be doing in Union Township anticipating more applications. Supervisor Heather Daerr asked Jarrod D'Amico to put that on his list.

Supervisor, Richard Lawson suggested putting the Sunoco Patterson Road Paving Project out for bid. Sunoco offered to pave the road or for Union Township or for Union Township to have the work done, and Sunoco will reimburse the Township. Supervisor Richard Lawson thoughts are the road crew will not get to it fast enough, so Mr. Lawson would like to put it out for bid that would give the Township enough time to fix the areas of Patterson Road that are not covered in Sunoco's offer adequately.

**Motion** to approve Mr. Harshman to send out a bid package for Sunoco Road Paving Project which includes only the work that Sunoco is going to cover.

Motion by, Heather Daerr and Second by,

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

There was a conversation on record with the Supervisors, Solicitor, Gary Sweat, Engineer, Jessica Beranger and Engineer, James Harshman concerning Supervisors Robert Dooley's list of roads that need repair including Colman Road. Supervisor, Heather Daerr and Supervisor Richard Lawson suggested Mr. Dooley go with Engineer, Jessica Berringer on a road trip to examine the roads.

**Motion** to approve Harshman's firm to go out and look at Snee, Mingo, Pleasant view, Coal Bluff and Colman for the Spring 2019 Road Project.

Motion by, Heather Daerr and Second by, Paul Chasko

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

Supervisor Heather Daerr updated the Board about Ridge Road Culvert Ms. Daerr explained; Tom Kelly went with Rick Skovensky to look at the road and to determine if it qualified for Liquid Fuels Funds. Engineer, James Harshman suggested targeting using the Liquid Fuels Funds next year, Mr. Harshman continued to explain that the Township will need a DEP permit and prepare a design to PennDOT standards stating there are a lot more details needed. The township already has two hundred thousand dollars' worth of streets picked out for this year, and the Township reached the budget for Liquid Fuels this year. There was a conversation on record with Supervisor Richard Lawson and Engineer, James Harshman concerning putting a large pad over Ridge Road Culvert and the cost of the pad. Mr. Lawson stated he would look into the actual cost to put a pad over the culvert and the Board could then decide what would be more cost effective, the pad or to wait until next year and use the Liquid Fuels Funds.

Supervisor, Heather Daerr stated the residents are complaining they need a curb to resolve the drainage issue at 5014 Meadow Avenue. Supervisor, Richard Lawson suggested putting a curb all the way down on the low side driveway, but the problem is we will need a 6-inch-high curb, and there are two driveways that fall. The Township would need to go down their driveway 12 or 15 feet, so when the car comes out, it doesn't hit the curb. Mr. Lawson stated we could put a curb up there, but they will not get in and out of their driveways, and a two-inch curb will not hold the water. Mr., Lawson questioned Engineer, James Harshman if the Township could go down in their driveway or do we need to get permission. Engineer, James Harshman informed the Board that it is in our right away, but Mr. Harshman always likes to coordinate that with the homeowner, so they understand what we are doing and that it is for good.

**Motion** to approve Engineer, Jessica Berringer and Richard Lawson going to Meadow Avenue to look at the curb drainage issues and discuss next steps.

Motion by, Heather Daerr and Second by, Richard Lawson

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Zoning Officer, Jarrod D'Amico informed the board there are two things going on at the Airport one of them being the stormwater ponds. Mr. D'Amico informed the Board they did the initial work which was basic maintenance, but after doing a second inspection, additional maintenance needed to be done. Mr. D'Amico stated there is an open citation for this and they asked for a 90-day continuance to give time to make repairs. Mr. D'Amico further explained that on the other side of the runway is where they have the drainage pipes coming out. Mr. D'Amico explained to the Board of Supervisors that an oil and gas company came in the '90s and put in a temporary road to get to a well at the end of the runway. As per the Airport when the road was put in the drainage pipes were added which contributed to the flooding at Stonebridge. Mr. D'Amico filed a citation to see if we can get this issue resolved.

There was a conversation on record with the Baseball Board and the Board of Supervisors regarding the Baseball fields at Veterans Memorial Park. Drawings were giving to the Board of Supervisors with different options for the layout of the field. The Baseball Board would like the field to serve as a dual purpose for both baseball and soccer. It was determined the only loss when the field is under construction would be the fall soccer, but the smaller fields up on top could be utilized. Supervisor, Heather Daerr stated the Township has a budget of sixteen thousand dollars to use to update the field. Supervisor,

Heather Daerr announced Supervisor, Richard Lawson formed a working professional relationship with Sunoco which lead to Sunoco offering a donation toward a ball field. There was no exact dollar amount mentioned, but Mr. Lawson went out and got some prices which ranged from \$66,000.00 up to \$150,000.00. Supervisor, Heather Daerr and Solicitor Gary Sweat suggest that Mr. Lawson should be the one that takes the options to Sunoco asking for the \$150,000.00. Mr. Lawson suggested that Ms. Daerr approach the school district requesting a donation for the fields.

**Motion** to authorize Supervisor, Richard Lawson to negotiate a possible donation from Sunoco to Union Township

Motion by, Heather Daerr and Second by, Paul Chasko

Roll Call Vote: Richard Lawson – ABSTAIN, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

Supervisor Heather Daerr informed the board that Shane from Senate Engineering did supply additional information. Solicitor Gary Sweat stated he feels we need to meet with the Attorney from DEP concerning the consent order. Mr. Sweat suggested taking care of the six homes that DEP is concerned about first then come up with something saying we will test the 19 additional homes they referred to as, “potentially” malfunctioning. Mr. Sweat continued to say that we will need additional time for the overall 47 homes and the Township will have to start exploring grants, make an LSA application or see if there is a developer that would like to do the work. Mr. Sweat stated his biggest concern at this time is what we do to settle this with the DEP. Mr. Sweat stated he would get together with DEP’s attorney and schedule a meeting to see what their expectations are.

Supervisor, Heather Daerr asked if the Board would like to meet at the Township Building on Saturday to have a purging of the records since the Township has a Records Retention Act. Supervisor, Heather Daerr then suggested waiting until Nicole Wright comes back before proceeding with the purging of any records.

Supervisor, Richard Lawson suggested caging in the Mezzanine for a place to store records. Supervisor, Robert Dooley informed the Board, since it’s a low head place, there would have to be a hard hat requirement. There was a discussion on record with the Supervisors concerning where to store the records until they can be destroyed. Ms. Daerr suggested keeping this subject in abeyance.

**Motion** to put the purging of records in abeyance until we get our full staff here and we have more time  
Motion by, Heather Daerr and Second by, Charles Trax

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

Supervisor, Heather Daerr informed the Board that the tax office would have its check scanner.

The following New Business was on the agenda:

- A. Approve/Deny Tom Kelley’s Coolspring Stone Supply Purchase Order.
- B. Approve/Deny Tom Kelley’s Essay Tire & Wheel Purchase Order.
- C. Discuss HHA-Road Use and Bonding Agreement – 2019.
- D. Discuss waiving Mrs. Castor’s Park Rental Fee for Bill Castor’s Wake.
- E. Discuss Letter for MS4 Refund (Signature)

**Motion** to approve Coolspring Stone Supply purchase order for 23 tons of road ditch lining in the amount of \$525.00

Motion by, Heather Daerr and Second by, Robert Dooley

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

Supervisor Heather Daerr stated she would like to review the purchase order for Essay Tire &\* Wheel Purchase with Tom Kelley before signing.

**Motion** to hold the HHA-Road Use and Bonding Agreement -2019 in abeyance until the next meeting is giving everybody enough time to read it.

Motion by, Heather Daerr and Second by, Paul Chasko

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

**Motion** to approve waiving Mrs. Castor's park rental fee for Bill Castor's wake.

Motion by, Heather Daerr and Second by, Robert Dooley

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

**Public Comments:**

George Powell questioned the Board as to when the two hundred and fifty thousand dollars was coming from EQT. Mr. Sweat informed George Powell that the Township would get the check when the work on the road is completed.

Janet O'Toole

Asked the Board to explain what the letter meant that she received from EQT stating they will be drilling within 1000 feet. Engineer, Jessica Berringer gave a brief explanation as to what was meant by the letters.

**Motion** to have a 5-minute Executive Session

Motion by, Heather Daerr and Second by, Richard Lawson

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr – YES, Robert Dooley – Yes

Motion Carried

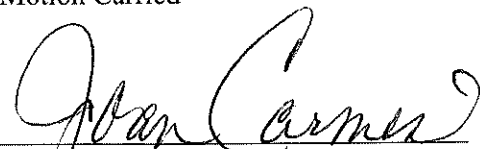
**The Supervisors returned from Executive Session at 9:20 pm where they discussed personnel and potential litigation**

**Motion** to Adjourn at 9:27 pm

Motion by Heather Daerr Second by Robert Dooley

Roll Call Vote: Richard Lawson – YES, Paul Chasko -YES, Charles Trax - YES, Heather Daerr - YES

Motion Carried

  
Asst. Secretary Treasurer/Joan Carmen