

**Union Township Board of Supervisors  
Non-Legislative Meeting  
April 8, 2020  
5:37 pm**

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 5:37p.m. The pledge of allegiance was recited.

Attendees Township Offices were: Solicitor Gary Sweat, Supervisor Richard Lawson and Secretary/Assistant Treasurer Roberta Singer.

Attendees via video call were: Supervisor Heather Daerr, Supervisor Chuck Trax (attendance started at 6:00 p.m.), Supervisor Frank Massari, Attorney Michael Cruny, Engineer Jamie Harshman, Engineer Jessica Stiner, Project Manager James Donahoe, Code/Zoning Officer Linda Roach.

Also, in attendance was Maureen Ott and Mr. Burnsworth.

**Public Comment on Agenda Items:**

None

Motion to Approve Minutes from February 3, 2020 Special Meeting

Motion by Heather Daerr, Second by Richard Lawson

Roll Call Vote: Heather Daerr-yes Chuck Trax – absent; Richard Lawson-yes, Frank Massari-yes

Motion Carried

Motion to Approve Minutes from February 6, 2020 Special Meeting

Motion by Heather Daerr, Second by Richard Lawson

Roll Call Vote: Heather Daerr-yes Chuck Trax – absent; Richard Lawson-yes, Frank Massari-yes

Motion Carried

Motion to Approve Minutes from February 12, 2020 Non-Legislative Meeting

Motion by Rick Lawson, Second by Frank Massari

Roll Call Vote: Heather Daerr-yes Chuck Trax – absent; Richard Lawson-yes, Frank Massari-yes

Motion Carried

Motion to Approve Minutes from February 26, 2020 Legislative Meeting

Motion by Rick Lawson, Second by Frank Massari

Roll Call Vote: Heather Daerr-yes Chuck Trax – absent; Richard Lawson-yes, Frank Massari-yes

Motion Carried

#7 – Announcing Executive Sessions since 3/25/2020 Meeting: Several Executive Sessions held the week of March 30, 2020 – Discussion entailed Resolution 5-2020 COVID 19 / Personnel & Litigation matters.

#8 – Solicitor's Report – On track with EQT regarding Caton and Garvin well pads; awaiting \$275,000.00 check from EQT to go into General Fund; State of Emergency – personnel employment decisions made – memos sent to Administrative and Road Crew Departments; locking building and cleaning protocol. Report is self-explanatory. Project Manager to work on 2020 Census and encourage residents to fill out and return – can affect revenue that Township is available for over next few years – liquid fuels, grant, firefighter's relief, and many others. Supervisor Lawson and Solicitor Sweat working with Attorney Bonato regarding grievances filed by Road Department. Will respond accordingly.

#9 – Engineers Report – Engineer Stiner – Storm water ponds – Giant Eagle, Tuscan Estates & Phoenix Drive (Cardox). Report to be sent prior to 4/8/2020 meeting; 2020 Paving Program – moving forward with Cardox Road, Trax Road, Ridge Avenue & Meadow Avenue – need Board approval before putting out for bid; Discussions regarding Elrama Sewer Inspection Contract; Overlook Sewers; PennVest application approved – conference call scheduled; CDBG Bathroom Project-available grant funding approx. \$65,000.00; Sunoco/Patterson Road – Estimated cost if \$879,355 which includes engineering, construction, inspections and any legal work that may be involved. Mingo Circle Sewage Act 537 – this project has been approved by the DEP; EQT Garvin Well Conditional Use Application – there are minor changes to make but Conditional Use approved by the Township.

#10 – Project Managers Report – WESA-Received RTK paperwork; Elrama Pump Station-Bibby contract sent to Sweat Law Offices for comment and new locks in place; Grant Updates: DGLVR (possible road paving), LSA (PennVest contract to be signed May/June), DCNR Working with HCEG), GTR (government grants on hold at this time), Baseball Tomorrow Fund (no match but in-kind), PA Small & H2O PA Water (pending – under review – announced in June); Contracts-phones (on hold until reopen), HCEG T&C's (at HCEG); Lawn Bids (started 3/30/20); Safety Committee Training - tbd; Bldg. Cleaning (upon reopen), Board of Auditors (received minutes-placed in book), Boy Scout Troop – Project Manager James Donahue to speak re: problem solving and roles within local governments), SEREMS-update on COVID-19; City of Mon Police – update on COVID-19; Bank Accounts – inquiring as to interest rates; Sewer Cleaning Machine – at B&B for evaluation; New Township Truck – at B&B; Sugarcamp / Turkey Foot / Trax Road; awaiting response; Admin – working from home; Calendar for tracking – working with Roberta on this; MS4 training – postponed; PA Water Bill (Fire Hydrant Service) – Complaint with PUC – no response yet.

#11 – Police Report – e-mailed to each Board member.

#12 – Unfinished Business – Boards & Appointments – Supervisor Daerr stated we still have vacancy and have to move on that by Legislative Meeting; Solicitor Sweat stated that because

we are in State of Emergency (CoronaVirus), we are not under 30 day rule because Courts are suspended. All timelines and calendar lines are on hold.

No comments on Unfinished Business.

Motion to Add Items to Agenda:

Union Township Logo to be added to Township Bldg. as per Mr. Massari – submitted ideas and quotes.

Two potential developers on Township property. Planning department made conditional approval to pass on to Board of Supervisors.

Motion – Heather Daerr

Second – Frank Massari

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

Motion Carried

No Public Comment

New Business:

2020 COVID-19 Declaration of Emergency – Supervisors signed off on Declaration and sealed.

Employment Decisions: Three separate decisions based upon Sweat Law offices recommendations based upon Governor of Pennsylvania and President of the United States decisions. Limited access to Township offices - Admin Staff working from home and offices to be disinfected; Same rules apply to Tax Collector as well. Road Department employees were furloughed due to Emergency after they voiced concerns. Road Superintendent also furloughed, and the Board of Supervisors decided not to renew his contract dated April 10, 2019.

Motion to Add Items to Agenda:

Three employment decisions at Executive Session on March 30, 2020.

Motion – Heather Daerr

Second – Richard Lawson

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

Motion Carried

2020 Paving Projects – Put projects out for bid.

Supervisor Lawson to work with Engineer Stiner – on site pre-bid for Cardox bid – widening.

Also needs temporary easement for grading from property owners. Harshman to get temporary easements. Total amounts for Paving \$402,000.00 – Liquid Fuels amount \$397,000.00

Approve/Deny Advertising 2020 Road Program for Bids

Motion to approve advertising of 2020 paving bids with condition that Harshman (HCEG) obtain easements from property owners

Motion – Heather Daerr

Second – Richard Lawson

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

Discussion on impact of pandemic on bidding process. Engineer Stiner responded accordingly. Possibly need extended due to situation with COVID-19.

Approve / Deny CDBG Bathroom Renovation Project – Engineer Stiner has not received ADA Compliance dimensional issue resolution.

Motion to table #5 until later in Agenda until drawings are received.

Motion – Heather Daerr

Second – Frank Massari

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

Approve / Deny Overlook Sewage Project. Closing at beginning of July. Need to have easements received and filed or Declaration of Taking needs done and filed before end of May. HCEG to come up with potential offers – Board to post funds for Declaration of Taking along with HCEG. Seven residents have not signed easements.

Motion – Heather Daerr

Second – Richard Lawson

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

Approve / Deny Overlook Sanitary Sewer Project. Seven not signed. Will be advertised through April – and then we can finalize PennVest Loan. Deferring to HCEG and bid packages.

Motion to approve advertising Overlook Sanitary Sewer Project Advertising package.

Motion – Heather Daerr

Second – Richard Lawson

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

Elrama Pump Station & System – flow analysis to be done - get pricing and discuss Wastewater System Services. Complimentary site evaluation to be obtained and submitted to HCEG.

Motion – Heather Daerr

Second – Richard Lawson

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

Approve / Deny – Elrama Sanitary Sewer CCTV Project discussion re: flow meters and cost and inspection of same. Elrama Sanitary Sewer CCTV for Mr. Tom Bibby and WasteWater Systems services in conjunction with Mr. Harshman, Mr. Donahoe and Supervisor Lawson to advise and give cost estimate how to manage sanitary sewer going forward. Tabled for one (1) month. Solicitor Sweat suggestion to wait until we see what revenue comes in from Casino, property taxes and per capita taxes income.

Motion to Table the Elrama Sanitary Sewer CCTV for one (1) month until May.

Motion – Heather Daerr

Second – Richard Lawson

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

Approve / Deny – transfer of Brentwood Bank Key fob from James Donahoe, Project Manager to Roberta Singer, Secretary/Assistant Treasurer  
Motion to approve Transfer of Brentwood Bank key fob from James Donahoe, Project Manager to Roberta Singer, Secretary/Assistant Treasurer  
Motion – Heather Daerr  
Second – Richard Lawson  
Roll Call: Daerr – yes; Trax – yes; Lawson – yes; Massari – yes

Approve / Deny appointing Frank L. Massari as Roadmaster  
Motion to approve Frank L. Massari as Roadmaster  
Motion – Heather Daerr  
Second – Charles Trax  
Roll Call: Daerr – yes; Trax – yes; Lawson – yes; Massari – abstain

Approve / Deny Advertisement of stormwater and grading ordinance workshop – not sure if advertised as of this date. Set meeting with Mr. Puglisi to review sites. Engineer Stiner to forward current grading ordinances for review.  
Motion to advertise May 13, 2020 for the Stormwater and Grading Workshop.  
Motion – Heather Daerr  
Second – Richard Lawson  
Roll Call: Daerr – yes; Trax – yes; Lawson – yes; Massari – yes

Approve / Deny discontinuation of Personnel Staffers, Inc. as to transcription services for the Township and public meeting minutes.  
Motion – Heather Daerr  
Second – Richard Lawson  
Roll Call: Daerr – yes; Trax – yes; Lawson – yes; Massari – yes

Approve / Deny donation to Finleyville Food Bank in lieu of purchasing food for older resident use in extreme emergency. Motion to table until May or June 2020  
Motion – Charles Trax  
Second – Frank Massari  
Roll Call: Daerr – yes; Trax – yes; Lawson – yes; Massari – yes

Approve / Deny extension of real estate discount period from April 30<sup>th</sup> (Discount Period) and June 30<sup>th</sup> (Face Period) to May 31<sup>st</sup> and July 31<sup>st</sup>, respectively.  
Motion to extend discount tax and face tax real estate Township tax deadline to May 31<sup>st</sup> and July 31<sup>st</sup>  
Motion – Richard Lawson  
Second – Heather Daerr  
Roll Call: Daerr – yes; Trax – yes; Lawson – yes; Massari – yes

Approve / Deny Sweat Law Offices resolution 06-2020 extending Real Estate Tax Discount and Face period discount.

Motion – Heather Daerr

Second – Richard Lawson

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

Approve / Deny waiver for worship gathering of Elrama United Methodist Church at Elrama Fire Hall. Social distancing practices will be followed. Everyone to stay in their vehicles. Pastor Jude Urso of Elrama United Methodist Church addressed the Board. Mr. Nicholas McHale of the Governor’s Office – said Baptist Church in Washington did the same scenario.

In Washington, Ministry Team and Musicians were in Township pavilion which was closed. We do not have authority to grant waiver. All parks are to remain closed.

No action taken – no authority.

Approve / Deny Union Gardens rezoning application. Engineer Stiner explained discussion at Planning Department meeting held earlier. Recommendation to Board is to schedule hearing and submit additional documentation. Schedule hearing for 5/27/2020 @ 4:00 p.m. prior to May Legislative Meeting. Solicitor Sweat all is good to schedule for 5/27/20 if Governor’s distancing is released, and Mr. Sluchak can meet requirements for rezoning and use issues. Motion to recommend that Board of Supervisors set hearing date for 5/27/20 at 4:00 p.m. to consider zoning map amendment from RD to SD/Mud Overlay subject to owner providing additional documentation related to the mining rights and reclamation of said property and to also consider the rezoning of the Union Garden property from RD & R1 to C2.

Motion – Heather Daerr

Second – Richard Lawson

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

Motion that Sweat Law Office set up hearing and schedule stenographer for the May 27, 2020 hearing.

Motion - Heather Daerr

Second – Frank Massari

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

Motion for the Board of Supervisors to set hearing date to consider Zoning Ordinance Text Amendment to make business or professional offices, business services and contracting business as conditional usage of the C2 Zoning District of the Union Garden property on May 27, 2020 at 4:30 p.m.

Motion – Heather Daerr

Second – Richard Lawson

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

Discussion regarding NVR – Walter Long Drive – Road Maintenance Agreement – Any questions or concerns? None stated.

Discussion regarding Railroad Street – residents wrote letter with specific questions on cement blocks cracking pavement. Concerned about emergency vehicles getting into Railroad Street, and street width. Need letter to residents. Residents think Township is not working with them. We need to formulate response. If we agree to split costs, meet the railway halfway, we could then maybe move forward to fix. This would show residents that we are attempting to fix. Supervisor Lawson and Mr. Puglisi met with Ms. Bidoli. Looking for parking spot which is not on Township property. Nothing can be done – it would be an extremely costly fix. We have documentation of trying to fix but not on our property. Power poles needs moved and it is \$10,000-\$12,000 to move poles to widen street. No existing storm sewer pipes existing that is feeding into Railway right of way. Erosion happening. The only place to widen is toward their property. Letter to Residents from Solicitor Sweat, Engineers Harshman & Stiner. Motion to allow HCEG to answer residents letter from Railroad Street in formal letter addressing their concerns (their 2 letters) and the letter from CSX Railroad to residents. Motion – Heather Daerr  
Second – Richard Lawson  
Roll Call: Daerr – yes; Trax – yes; Lawson – yes; Massari – yes

Discuss Don Street flooding. No pictures. Also concerned about Victor Street. Same situation as flooding as last year. Ms. Roach to find out specifics. We received no complaints about Don Street. Complaints given to Mr. Puglisi. Further investigation necessary. Flooding into yards. There is no Township property right of way for storm drainage. We decided we cannot do anything. It is still private property – not Township property. Ms. Road to respond. E-mail to Solicitor Sweat and Supervisor Lawson and respond to residents. Engineer Stiner said it would be a civil matter since it is private property – not Township property.

Discuss Meadow Avenue Complaint. Resident asked that if we can do something temporary to avoid flooding. Discussed paving and length of time until we can try and resolve. Maybe try using sandbags or cold patch. Possibly let it go until emergency is over. Possibly stake straw bales down too. Meadow has been private for 30 years. Do not want to create liability issue either. Nice letter telling them it is on schedule for curbs within 75-90 days.

Gilmore Road – no written Complaint – Mr. Puglisi wanted to speak to Board about Gilmore.

WESA Billing – We have been notified by WESA that we are no longer using their billing services. Project Manager to get quotes from Palermo/Kissinger Assoc. Ms. Roach said about using Jordan Tax Services. Would rather get it out of the house. Supervisor Lawson suggested getting quotes from Peters Creek Sanitation Authority as well. WESA did billing with no problems. Discussion regarding posting properties.

Motion to get quotes from quotes from Palermo/Kissinger, Jordan Tax Services & Peters Creek Sanitary Authority.

Motion - Charles Trax

Second – Richard Lawson

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

Discussion on Veterans Memorial Park – suggestion to table for a month or two because of current pandemic situation. No legal constraints if Supervisor Lawson willing to offer a design. No input from Facebook survey and Jim to forward responses to Supervisor Lawson. Need to solicit more responses. Keep on Agenda going forward.

Motion to table.

Motion – Heather Daerr

Second – Richard Lawson

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

Discussion re: Finleyville Elrama Sewage Project. Senate Engineering. Senate dragging their feet on this. Engineer Stiner contacted Carey Fox. Keep in holding patterns. Keep on Agenda.

Discuss Messenger Article. Supervisor Daerr drafted. Supervisor Daerr made significant changes and will drop off for revisions. Everybody to review and give opinions.

Nike Site Property – Supervisor Trax soliciting thoughts on selling property and using funds to be put into parks, etc. 13.9 acres and we can put the money to use. Sell the property and put funds into purchasing school. Possibly developers would be interested. Solicitor Sweat look into legal ramifications of selling. Supervisor Daerr gave her thoughts on turning property into park, similar to South Park. Crowd funding a possibility as well. Demo and reclamation to be done. Also possibly form a Park Planning Board. May be impossible to get funding and cooperation for another park. Solicitor Sweat about checking deed out and flexibility of what restricted covenants.

Motion to do deed research on Nike Site property.

Motion – Charles Trax

Second – Frank Massari

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

Discussion on Middle School – Have not heard anything regarding this item. Should be tabled and kept on Agenda.

Motion to Table

Motion – Heather Daerr

Second – Frank Massari

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

Discussion on owning of future sewer lines – Table this item and keep on Agenda.

Discussion on Code Enforcement Violations – Ms. Roach gave update on a few code enforcement violations. She is contacting via letters – regarding getting rid of abandoned vehicles, junk in yard, dumpster in yards. Posted building about doing work without permit. Follow up with Jared to see if filed for permit. Mr. Mauro Orsatti made complaint about neighbor with rats around trash. Need to tell neighbor to get rid of rats. Asked Solicitor Sweat for his input.



Discussion on Elrama Park Update – Continuing & list of requirements; good on timeline. Engineer Stiner was fine with status and timeline. Moving forward as planned.

WESA Liens – Ms. Roach stated down to 14 liens. It is now at 2 parties making payments: 3 residents sending copies of cancelled checks. A few not responding to letters, and 1 person I can not locate. Keeping in touch with Attorney Cruny on these matters.

Sunoco Pipeline / Patterson Road – Engineer Stiner covered in her engineering report.

GTR/Baseball Grants – Project Manager discussed in his report.

Discussion re: parks being locked. We will keep parks locked up until pandemic is over.

Discussion re: Ms. Roach’s work schedule - Agreeable to Tuesdays and Thursdays. All agreed. E-mail and phone messages checked but not charging for.

Discussion on Abandoned Homes List – Ms. Roach to do research into abandoned homes. Keep on agenda and get updated list. Going to check previous list and see if home is still standing and abandoned. Possibly 30-40 homes.

Discussion of new letters – Supervisor Massari received quotes from Dean for new letters and design. Also design for new logo on building. Quotes did not include installation. Supervisor Massari to get new quotes including installation. Keep on agenda for Legislative meeting.

Discussion regarding rocks for Veterans Memorial Park – Supervisor Trax has rocks at the farm. Once everything settled down – we can move forward to install at entrance at VMP.

Discussion of soundproofing doors for Executive Conference Room – called to get copy of quote – no return call. Left messages for solid doors too – no return call.

Discussion regarding Township Building Bathroom Remodel – Engineer Stiner and Supervisor Lawson to work on this and advertise for bids. New designs submitted by Engineer Stiner to follow ADA specifications. Engineer Stiner wants to get this project out for bid.

Motion to move forward on getting Bathroom Renovation advertising and out for bid.

Motion – Frank Massari

Second – Charles Trax

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

Motion to confirm decision of April 3, 2020 to furlough the Road Department of Union Township employees due to the order of the Governor of the Commonwealth of Pennsylvania, the Federal Government and the overall impact of the COVID-19 pandemic and the over concern of the Road Department employees.

Motion – Heather Daerr

Second – Frank Massari

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

Motion to confirm decision of April 3, 2020 to lay off Road Superintendent Ken Puglisi and not renew Mr. Puglisi's contract, an at will employee, which is set to expire on April 10, 2020.

Motion – Heather Daerr

Second – Charles Trax

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

Motion pursuant to the Governor of the Commonwealth of Pennsylvania Order's on advice regarding professionals, the Board confirms the Board of Supervisor's decision of April 3, 2020, to allow the administrative employees to work remotely and to establish clear procedures and times that employees can enter the Township building.

Motion – Heather Daerr

Second – Richard Lawson

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

No Public Comment

No remarks from Supervisors or Staff.

Copy of Zoning Map to Ms. Roach's house. Copy received from Solicitor Sweat.

Discussion regarding 64 McChain Road – water procedure. Ms. Roach to make contact with residents and discuss issue with them. Project Manager to send Engineers Report to Ms. Roach for summary of McChain Road situation.

Supervisor Daerr questioned Solicitor Sweat about resolution for Peters Creek Building process from Mr. Kovack's. Attorney Cruny was working on that.

Discussion regarding fee schedule and review of Occupancy Permit process and need to allow administrative time for Peters Creek Sanitary Authority time to process. Discussed at February 12, 2020 meeting. Will review with Attorney Cruny and we will move forward. Resident has to produce survey, plot plan and application. Ms. Roach send to Jared with note to approve for resident.

Jim obtained safety vests for crew and staff if needed.

Solicitor Sweat advised that he received word that stimulus package solely for local municipalities to ease the burden and provide grants to Township to pay employees and keep going but the 4<sup>th</sup> round will be for municipalities. We will keep an eye on news and get application when appropriate. Application will be created with checklist and when becomes law, we can apply.

Motion to Adjourn

Motion – Heather Daerr

Second – Frank Massari

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

Meeting ended 9:45 p.m.



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ROBERTA J. SINGER, Secretary