

Union Township Board of Supervisors
June 20, 2019 Meeting
5:30 pm.

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

Board members in attendance by roll call were Heather Daerr, Richard Lawson, and Robert Dooley. Supervisor, Charles Trax arrived at 5:33 pm. Supervisor, Paul Chasko was absent.

Also, in attendance were Gary Sweat-Solicitor, James Harshman-Engineer, Jarrod D'Amico-Zoning/Code Official, Nicole Wright-Secretary/Treasurer, and Ken Puglisi-Road Superintendent.

Public Comment on Agenda Items:

Rick Riesenberger (No address given) Mr. Riesenberger, representative and Landman II from Equitrans Midstream was in attendance for the meeting to speak to the Board of Supervisors regarding an option agreement. Agenda item E.

Supervisor, Heather Daerr moved agenda item E up for Board Discussion. Mr. Riesenberger reported Equitrans project would be a pipeline to connect multiple well pad sites in Union Township to the McIntosh compressor station. The pipeline would come across Coal Bluff Road through Township property and across the hill to the compressor station. Supervisor, Richard Lawson voiced his concerns and opinion regarding the construction of any structures on the right-of-way. Solicitor Gary Sweat stated he has prepared multiple option agreements for other Townships. He stated he is prepared to make numerous recommendations to the Board of Supervisors. Mr. Sweat stated he is not sure the Board would be interested in an option agreement. Mr. Riesenberger stated he has landowners working with him, he is confident in the route the pipeline will run. Supervisor, Richard Lawson voiced his concerns regarding the pipeline coming through Coal Bluff Road after upgrades are made by EQT for the Caton Well Pad. Moving forward, Mr. Riesenberger stated the pipeline plan is to bury two gas lines and a water line. The water line would be utilized possibly for fresh water and recycled water. Supervisor Daerr questioned Mr. Riesenberger if he had any knowledge of the issues Union Township had regarding noise complaints from the McIntosh Compressor site. Mr. Riesenberger reported when he took over this territory for Equitrans, he visited the residents of Aber Road, gave business cards, and asked they contact him with any concerns. To date he noted not receiving any calls. Supervisor, Heather Daerr question Mr. Riesenberger about additional noise and if there were any plans for expansion of the site. Solicitor Sweat stated the Board would be compiling a list of concerns regarding the project and would be in touch. Engineer Harshman questioned Mr. Riesenberger about the project being a FERC regulated project. Mr. Riesenberger denied it as a FERC project. He stated all permits would be local through the PA DEP.

Road Superintendent, Ken Puglisi reported he spoke with the soccer association earlier in the day regarding the use, rules and regulations of the Veterans Park. Mr. Puglisi reported on the operating and maintenance cost of the park during rental season. Mr. Puglisi asked the Board to consider allowing the soccer association to erect a shed to store their property. Mr. Puglisi also asked if the Board would consider allowing the Soccer Association to have a key to the lower locked fence so handicapped individuals could drive to the top soccer field. Supervisor Daerr asked Secretary Wright to include Ringgold Area Youth Soccer Association on the agenda for the Legislative meeting. Moving forward in Road Superintendent Puglisi's update, he stated he will have a final report for the Board at the Legislative meeting for the Lobbs Run emergency slide repair. Lastly, Mr. Puglisi reported he potentially will be receiving some used guiderail to stock pile at the Nike Site for additional road projects scheduled for this year. Mr. Puglisi asked Solicitor Sweat for a written statement to provide to the donator for the donation.

Zoning/Code Official, Jarrod D'Amico reported he has received a telephone call regarding a driveway permit for the proposed compressor station that will be located very close to the border of Union Township, in Nottingham Township. Mr. D'Amico anticipates the application will be soon. Moving forward, Mr. D'Amico reported he received a letter from the Finleyville Airport. Annually PennDOT does an inspection of the Finleyville Airport, looking for obstructions of the flight path. Mr. Usnik sent a copy of the final report to Mr. D'Amico. The report included trees obstructing the runway. Mr. D'Amico stated the Airport is looking for Union Township to take code enforcement action, requiring residents to cut their trees. Mr. D'Amico stated at the direction of the Board he would like to respond to Mr. Usniks, asking him to file an official complaint and to fill out the correct Township forms. Mr. D'Amico stated he will compare the official complaint to the Township ordinance for height limitations to ensure there are property owners that are in violation. Mr. D'Amico does not want to expend any Township funds locating trees from a report that is very broad. Solicitor Sweat stated the complaint must be more specific, Union Township cannot enforce vagaries. Supervisor, Daerr questioned Mr. D'Amico where the code enforcement process was regarding the stormwater runoff from the Finleyville Airport on to Stonebridge Drive. Mr. D'Amico reported Judge Petit has granted the Airport forty-five days to find the defunct gas company that is now out of business, that installed the pipes. The Airport is going to try to force the gas company to make the repairs. If a remediation plan is not proposed at the next court hearing, Mr. D'Amico will request a guilty verdict. Mr. D'Amico also reported, July 3, 2019 ends the appeal period for the citation filed on the Stormwater pond at Tuscany Estates. Mr. D'Amico is prepared to issue daily fines, should Mr. Danielson not file an appeal.

Engineer James Harshman, filling in for Jessica Barringer updated the Board regarding the emergency paving quotes for Lobbs Run Road. Mr. Harshman stated Harshman CE Group, LLC. has contacted eleven different paving contractors for emergency quotes. One successful quote was received from Arnold Paving. TA Robinson provided a quote. However, they included extra items that were not listed on the quote specifications. Mr. Harshman reported Arnold Asphalt was the only responsible bidder. Supervisor, Richard Lawson requested a preconstruction meeting with Arnold Asphalt. Solicitor Sweat agreed with Engineer Harshman, the emergency slide repair and emergency paving are undoubtedly a safety issue that needs to be addressed immediately. Moving on, Engineer Harshman reported the Act 537 update on Mingo Circle a package plant is a more cost-effective scenario. Engineer, Sam Caroll has met with the DEP at the proposed outfall location. The DEP will have to issue approval of the outfall location and give effluent limits. Mr. Harshman stated those details will be pertinent to figure out what a package plant will cost. The different limitations determine the type of package plant that is needed. Mr. Harshman reported an important fact to note, the DEP environmental officials will need at least two months to get back to the Township with effluent limitations. Solicitor Sweat would like an email confirmation or something in writing regarding the timeline of response from the DEP. Engineer Harshman stated Mr. Caroll summarized his notes from the meeting, emailed them to the DEP, asking for a correction if anything was misunderstood. Mr. Harshman stated the DEP did not respond. Engineer Harshman stated at this point, the details of the package plant design in cost is on hold until the DEP responds. Solicitor Sweat reported, he had received a telephone call from Mr. Gordon, the owner of Senate Engineering. Solicitor Sweat reported Senate Engineering stated they had reviewed the scenario of a package plant for Mingo Circle. However, because of the high quality of the watershed, Senate didn't think it was possible. Solicitor Sweat and Engineer Harshman both agreed that during the meeting with DEP officials, the first option their Engineers recommended was a package plant. Supervisor, Heather Daerr questioned Mr. Harshman where Senate Engineering was with the Act 537 update for Finleyville-Elrama Road. Mr. Harshman reported he received a vague response with a cost estimate, the first being a lift station and gravity lines, the second being grinder pumps on a forced main. Discussions amongst the Board, Engineer, and Solicitor ensued regarding Senate Engineering. Solicitor Sweat and Engineer Harshman discussed sending Senate an amended letter with Union Townships expectations.

Mr. Sweat also reported based upon a discussion he had with Kerry Fox, from the Redevelopment Authority of Washington County, payment to Senate Engineering, is on hold.

Motion to approve Solicitor Sweat to send a strongly worded letter to Senate Engineering on the Act 537 plan for Finleyville Elrama Road needs completed within four weeks and they are in breach of the contract.

Motion by Heather Daerr, Second by Robert Dooley

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Moving on in Engineer Harshman's report, he stated the Overlook Sewerage Project is moving forward. July 9, 2019 there is a scheduled meeting with Penn Vest, to discuss if their program will be helpful regarding funding for the project. Discussions about funding and grants ensued between the Engineer, Solicitor and Board ensued.

Solicitor Gary Sweat reported he has dictated an extensive memo to the Board of Supervisors clarifying information of on the Teamsters 205 pension fund. Next, Mr. Sweat stated the Ralph Opferman land use appeal has been sent back to the Zoning Hearing Board for an appeal. Mr. Sweat stated the Board may want to consider having the Planning Department review and possibly make an amendment to the Union Township Zoning ordinance. Lastly, Solicitor Sweat stated the Township needs to contact EQT regarding the issuance of the check for the Road upgrades to Coal Bluff/Pleasant View Roads.

Agenda items:

The following items were on the agenda for approve/deny or discussion:

- A. Approve/Deny Roth Acoustical Associates Letter of Understanding for noise control consulting of the EQT Compressor Station blow off noise issue.
- B. Approve/Deny Letter of un-paid tap fee for Elrama Sewer customers.
- C. Approve/Deny Veterans Memorial Park new rental fees, rules, and regulations.
- D. Approve/Deny employee handbook update and circulation.
- E. Approve/Deny EQM Gathering option agreement for Township property.
- F. Approve/Deny Quote for Park Cameras.
- G. Approve/Deny Final payment recommendation for Gilmore Road drainage project to Plavchak Construction in the amount of \$4,070.00.
- H. Approve/Deny Drug free workplace policy and allow Solicitor Sweats office to draft a resolution for adoption.
- I. Approve/Deny Reimbursement to Secretary/Treasurer Nicole Wright in the amount of \$1,332.15 for 1 Pads
- J. Approve/Deny Pleasant View Road slide boring quotes.
- K. Approve/Deny Gilmore Road next steps.
- L. Discuss Dilicia property.
- M. Discuss next steps Shire ponds.
- N. Discuss possible purchase of used utility truck.
- O. Discuss Coal Bluff Road slide repairs.
- P. Discuss Union Township Complaint Procedures.
- Q. Discuss Truck Radio Estimate.
- R. Discuss Penn VEST amortization schedule.
- S. Discuss Engineers recommendation letter for construction standards.
- T. Discuss Petition of Duquesne Light Company Pre-Hearing conference and direction for Solicitor Sweat.
- U. Discuss DGLVR grant options for 2019.

V. Any additional items.

Discuss Next Steps on Open Items:

- Stormwater Pond Progress
- Diliscia Property
- Elrama Sewage Property Liens
- Elrama Sewage Uncollected Tap Fees
- Senate Engineering-Act 537 Plan
- Finleyville-Elrama Road Catch Basins
- Sunoco-Patterson Road Paving/Restoration of Road Project
- Veterans Memorial All Purpose Field-Fence
- Abandoned Homes List
- Ridge Avenue Culvert Cement Plate
- Meadow Avenue Curb Installation, Catch Basins & Pipe
- 64 & 74 McChain Road Drainage
- Maronda Home Lots in Tuscany Development
- Consideration Adding Rental Property-Chapter 202 to Occupancy Permit-202.7
- Consideration Amending Fee Schedule for Rush Occupancy Permits
- Discuss Accident Procedures-Road Super/Master
- Nike Site Electrical Quotes
- Discuss Properties on Gilmore Road
- Discuss Employee Handbook Changes and Circulation
- Ray Lane Stormwater
- Ridge Avenue Drainage, Inspection and Recommendations
- FITS Program
- Drug Free Workplace Resolution
- Finleyville-Elrama Road Dye Test
- Coal Bluff & Pleasant View Slide Repairs

Supervisor Heather Daerr asked the Board to move agenda item M up because members from the Shire HOA were present at the meeting. The Board agreed. Supervisor, Richard Lawson reviewed both stormwater ponds. He prepared a recommendation on what work needs to be completed on the ponds for them to function properly. Long discussions ensued amongst the Board, Solicitor, Engineer, Larry Krempasky, and Joe Gigulotti ensued regarding the stormwater ponds at the Shire.

Motion to agree to accept Mr. Roth's rate as set forth in his June 14, 2019 letter of understanding with the condition he would be used only when asked to participate for expert advice.

Motion by Heather Daerr, Second by Richard Lawson

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to approve general letter of un-paid tap fee for Elrama Sewer customers.

Motion by Charles Trax, Second by Robert Dooley

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to approve Veterans Memorial Park new rental fees, rules, and regulations.

Motion by Heather Daerr, Second by Richard Lawson

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to approve Richard Lawson and Ken Puglisi to get 3 quotes for electric at the Nike Site.

Motion by Heather Daerr, Second by Robert Dooley

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to rescind the motion for the Nike Site cameras

Motion by Heather Daerr, Second by Charles Trax

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to have Joan Carmen contact Kevin Emrick for a quote to reinstall the cameras at the Veterans Park.

Motion by Heather Daerr, Second by Robert Dooley

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to approve the final payment recommendation for the Gilmore Road drainage project to Plavchak Construction in the amount of \$4,070.00.

Motion by Richard Lawson, Second by Robert Dooley

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried

Motion to approve drug free workplace policy and allow Solicitor Sweats office to draft a resolution for adoption.

Motion by Richard Lawson, Second by Charles Trax

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried

Motion to approve reimbursement to Secretary/Treasurer, Nicole Wright in the amount of \$1,332.15 for purchase of iPad.

Motion by Heather Daerr, Second by Charles Trax

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to table Pleasant View Road slide boring quotes.

Motion by Heather Daerr, Second by Charles Trax

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to table agenda item K.

Motion by Heather Daerr, Second by Robert Dooley

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to approve Road Masters to look for a used utility truck not to exceed \$12,0000.00 for Boards review to purchase.

Motion by Heather Daerr, Second by Richard Lawson

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to approve Richard Lawson to get a quote for Crystal Sound for the installation of Rick's radios into Township vehicles.

Motion by Heather Daerr, Second by Richard Lawson

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to approve Harshman CE Group and Solicitor Gary Sweats office to amend and advertise the construction standards recommendation as stated in the Engineers letter dated June 4, 2019.

Motion by Heather Daerr, Second by Robert Dooley

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to authorize the award the paving of Lobbs Run to Arnold Asphalt conditioned upon a satisfactory preconstruction meeting with the Road Department and Supervisor Lawson.

Motion by Richard Lawson, Second by Heather Daerr

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to cancel the third Thursday of the month meetings in July and August.

Motion by Heather Daerr, Second by Richard Lawson

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.

Motion to adjourn at 8:41 pm.

Motion by Heather Daerr, Second by Richard Lawson

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Robert Dooley-YES, Heather Daerr-YES.

Motion carried.



Nicole L. Wright, Secretary/Treasurer