

**Union Township Board of Supervisors  
Legislative Meeting  
October 28, 2020  
5:00 p.m.**

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 5:00p.m.

Pledge of Allegiance

Moment of Prayer by Pastor Glenn

Attendees at meeting were: Heather Daerr, Chairperson; Charles Trax, Vice Chairperson; Richard Lawson, Supervisor/Treasurer; Hal D. Breinig, Supervisor/Roadmaster; David A. Esken, Supervisor

Also in attendance were: Roberta Singer, Secretary/Ass't. Treasurer; Linda Roach, Code & Zoning Officer; Gary Sweat, Solicitor, Sweat Law Offices; Jessica Stiner, Harshman CE Group, Engineer.

**PUBLIC COMMENT**

Larry Spahr – 181 McChain Road – Was questioning about the foreign bank accounts that were previously mentioned in last meeting of the Board. Where, how many, etc. Mr. Sweat answered that these accounts were discovered during a forensic audit after previous Treasurer left employment. Mr. Sweat explained that through PLGIT, there were investments in China and we had funds in PLGIT.

Linda Evans-Boren – 22 Parkvue Drive - regarding forensic audit and there was no mention of foreign bank accounts and this was done after Judy Taylor resigned, which is customary after Treasurer resigns. She proceeded to read sections of audit verbatim and mentioned that this audit was done by Maher-Duessel. Stated that no wrongdoing found Mr. Sweat and are you stating that audit was/is incorrect. There is no criminal wrongdoing. Also questioned who is the contractor doing the Overlook project. Ms. Stiner responded that this project's contractor is M. O'Herron. Also questioned Charles Trax as to why Mr. Cruny advised Mr. Trax to abstain from voting on any Cardox Road items – Mr. Trax questioned which meeting – Ms. Evans-Boren said a few meetings ago – Mr. Trax responded that he would have to go through minutes to see what the subject matter was that he was abstaining on.

Motion to approve payroll dated 10/30/2020 in the amount of \$5,086.00 which included 2 admin personnel and 2 road crew.

Motion: Lawson

Second: Daerr

Roll Call: Daerr – yes    Trax – yes    Lawson – yes    Breinig – yes    Esken - yes

Motion Carried

Executive Sessions having been had on Tuesday, October 27, 2020 and Wednesday, October 28, 2020. All sessions were regarding personnel and litigation issues.

Mr. J. P. Morgan from Washington Financial Bank gave brief explanation about opening of new branch and grant program that is on website. Gave brief synopsis of services and hours that branch will be open.

Ms. Daerr made Motion to add agenda item to tonight Legislative Meeting. Motion to approve / Deny Huntington Insurance as broker of record.

Motion: Daerr

Second: Lawson

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes

Motion Carried

Motion to approve EQT / Mingo Well Site Conditional Use Procedure Overview and Decision.

Motion: Daerr

Second: Trax

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes

Motion Carried

Ms. Daerr read conditions to be defined and regulates Conditions of Approval. They were #1 through #31 of the Conditional Use Procedure Overview and Decision.

Motion to approve EQT / Mingo Well Site Conditional Use Procedure Overview and Decision based upon conditions as read aloud by Ms. Daerr.

Motion: Daerr

Second: Breinig

Roll Call: Daerr – yes Trax – yes

Prior to Mr. Lawson votes, Mr. Sweat questioned Mr. Lawson regarding reviewing application, notes, notebook and exhibits. Attended pre-application meeting and is familiar with all notes, minutes, drawings, etc. and the Oil & Gas Ordinance as imposed and has enough information to make a conscious vote). Lawson – yes Breinig – yes Esken – abstain as Mr. Esken was not sworn in as a Supervisor at the time of the hearing.

Motion Carried

Motion to approve the following new dates for the November 2020 meetings and/or workshops:

Planning Dept Meeting	Thursday, November 12, 2020 @ 4:00 p.m.
Non-Legislative Meeting	Thursday, November 12, 2020 @ 5:00 p.m.
Budget Workshop	Tuesday, November 24, 2020 @ 3:00 p.m.
Legislative Meeting	Tuesday, November 24, 2020 @ 5:00 p.m.

These revised dates and times will be advertised, as well as posted on the Union Township website and on the Union Township Building doors.

Motion: Daerr  
Second: Breinig  
Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes  
Motion Carried

Motion to approve changes in dates for Fall Leaf Cleanup – new proposed dates will be Monday, November 2, 2020 and Monday, November 16, 2020. Changes may be made dependent upon weather.

Motion: Lawson  
Second: Breinig  
Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes  
Motion Carried

Motion to approve Porter Wright Law Firm to pursue injunctive relief for access to area within the Township right of way at 65 Cardox Road (Mader property).

Motion: Lawson  
Second: Daerr  
Roll Call: Daerr – yes Trax – abstain Lawson – yes Breinig – yes Esken - yes  
Mr. Trax abstained due to the fact that he presently resides on Cardox Road in a home which is owned by his father.  
Motion Carried

Discussion regarding approval of offer of compensation related to the Cardox Road Easements. There are 2 eminent domain actions filed – Mader property and Gniadek property. The issues here are compensation. Our recommendation so that we can take possession of easement area is that the Board offer compensation of \$250.00 for the taking for Mr. Gniadek and placing same in Sweet Client Trust Account or with the Washington County Prothonotary.

Motion to approve offer of compensation of \$250.00 for Gniadek property and funds to be placed in Sweet Law Offices Client Trust Account relating to the Cardox Road Easement.

Motion: Daerr  
Second: Lawson  
Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes  
Motion Carried

Discussion ensued regarding possibly compensation all Cardox Road residents as just compensation and there are multiple properties / residents that were very pleasant to work with and had specific wish lists.

Michalle Dupree – 6178 State Route 88 – some residents have permanent easements and some had temporary. Is everyone going to get the same compensation? Ms. Dupree was informed that the discussion has not taken place as of yet.

Per Ms. Stiner, there are 12 temporary easements – minus Trax property which Mr. Trax, Sr. would not want compensated, so that would be 11 and there were permanent storm water easements that were required separately. Ms. Daerr would like to offer \$250.00 to every property on Cardox Road with the exception of no payment for overlapping properties.

All Supervisors agreed as long as consistent.

Motion to approve \$250.00 compensation to residents of Cardox Road in relation to the Cardox Road easement, as long as they are not overlapping. One per property.

Motion: Lawson

Second: Breinig

Roll Call: Daerr – yes Trax – abstain Lawson – yes Breinig – yes Esken - yes

Motion Carried

Mr. Trax states that he nor his family will not be accepting any sort of compensation/check for easement.

Discussion regarding Don Fincham applying for the Zoning Hearing Board. Don spoke and stated he just wants to help out the Township in any way he can.

Motion to approve Don Fincham as the new Zoning Hearing Board.

Motion: Breining

Second: Lawson

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes

Motion Carried

Mr. Fincham is replacing Shana Garrett and will be advised of the length of term he will serve.

Motion to approve awarding of park repairs to Back Roads Solution for \$17,650.00.

Motion: Daerr

Second: Lawson

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes

Motion Carried

Motion to approve Resolution #10 of 2020 to apply for LSA Grant Funding of \$375,000.00 with matching funds of \$151,959.60 for the Finleyville-Elrama Sewer Extension Project

Motion: Lawson

Second: Breinig

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes

Motion Carried

Discuss Washington County COVID Recovery Municipal Grant.

Ms. Stiner continued to explain that there are funds available from Washington County for expenses due to COVID-19. We must show expenses we wish to get reimbursed or show anything. Earmarked for Union Township is around \$167,000.00. There will be an Agreement for signature at next meeting and we will have list of expenses as proof of all expenses to date. We will need to do Resolution to adopt Agreement. This needs to be compiled and ready for submission prior to the end of November.

Motion to appoint Huntington Insurance as our broker of record for Union Township.

Motion: Daerr

Second: Breinig

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes

Motion Carried

Motion to approve bill pay list in the amount of \$7,433.88

Motion: Daerr

Second: Lawson

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes

Motion Carried

Public Comment –

Michalle Dupree – 6178 State Route 88 – regarding a form for moving into community and legal requirements. Ms. Roach to give Ms. Dupree a copy of Ordinance so that tax collector can send out earned income tax and per capita. Also, hired Matthew Harding – had some concerns that in 2018 he had ethics violation and paid over \$9,000.00.

Frank Palermo, III – CPA firm. Breakdown and status of how we are doing financially with the Township. Township doing fine in regard to tax recovering and mitigating expenses and being conservative. We are sitting in a good position financially.

Mr. Sweat gave brief update on economic status regarding NVR and Mineral Beach property. Site work to star in January and vey excited to get started. Mr. Cruny had meeting with Bruce Klaussen who has taken over Tuscany – and has entered into Sales Agreement from Quaker Engineering/Klaussen and Maronda homes. Tuscany possibly building +300 homes, Mineral Beach is over 100 homes and Scarmazzi homes. Union Township looking really good outlook/future at this point.

We will need to do extension on PRD for Mineral Beach before it expires.

Motion to have a brief executive session.

Motion: Daerr

Second: Lawson

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes

Motion Carried

Executive Session from 5:56 p.m. to 6:07 p.m. regarding personnel and potential litigation

Correspondence - None

Remarks from Supervisors / Staff –

Mr. Lawson spoke and stated that the public is being more civil. And that Ms. Evans-Boren is printing and passing lies about Mr. Lawson. Everyone is hell bent on finding something wrong. There will be repercussions for actions.

Ms. Daerr welcomed Mr. Esken. Also, Supervisors are pleased with reports that Ms. Roach is supplying the Board with information.

Motion to Adjourn @ 6:10 p.m.

Motion: Daerr

Second: Trax

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes

Motion Carried



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ROBERTA J. SINGER, Secretary