

Union Township Board of Supervisors  
Non-Legislative Meeting  
November 12, 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

Proof of Publication confirmed

Moment of Prayer by Pastor Ken

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, Engineer, Harshman CE Group, Engineer; Sgt. Ryan Lenzi, City of Monongahela Police Department.

#### **PUBLIC COMMENT**

Larry Spahr – 181 McChain Road – statement regarding deposits of funds and foreign bank accounts and audits – spoke with PLGIT and Maher Duessel. Sent information (about 56 pages) to Mr. Spahr and listing of financial listing of deposits. Information regarding foreign deposits is not accurate. Also spoke with Maher Duessel regarding forensic audit of April 2018 and they did not say to much out of sense of professional ethics. There was no mention made in audit about deposit in foreign accounts. Why there were no exceptions taken in that audit. PLGIT said that statement about foreign banks were absolutely absurd.

Michalle Dupree – 6178 Route 88 – Meeting minutes again. Wanted to clear the air. She is not the enemy. Brought up about Zoom Meeting, in person meetings – not notified about in person meeting. Continued on about unable to attend meeting, being locked out. Being filmed and under surveillance. Spoke up about handicapped parking spaces, no public bathrooms, not enough chairs to sit down. Kindly going to ask about “draft” meeting minutes – and if not allotted them – going to have attorney ask for requested documents.

Linda Evans Boren – 22 Parkview Drive – Read names from former employees and people we do business with for past 3 years – Tom Mellor, Judy Taylor, Deb Nigon, Colleen, Robert Balog, Nicole Dooley, Joan Carmen, James Donahue, Dennis Makle, Chris Furman, Carl Decass, Russell Stevens, Dave Barkey, Pete Overcashier, Tom Kelly, Ken Puglisi, part of Zoning Hearing Board (5 members) some of which served over 30 years, local auditors, entire police department, Chernicky cleaning, 3 Supervisors and also our entire ambulance crew, which we still have but

appears they are to be replaced soon. Statement is very wrong here. Well over 25/30 people and there is something wrong and it is not on this side of the table.

Executive Sessions:

Monday, November 9, 2020 – personnel and litigation

Thursday, November 12, 2020- personnel and litigation

Motion to approve payroll dated 11/13/2020 in the amount of \$7,552.66 which included 2 admin personnel, 2 road crew and 2 Zoning Hearing Board members for hearing dated 11/2/2020

Motion: Lawson

Second: Breinig

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

Motion Carried

Motion to approve minutes of September 23, 2020 Legislative Meeting

Motion: Trax

Second: Daerr

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

Motion Carried

Motion to approve minutes of October 14, 2020 Non-Legislative Meeting

Motion: Lawson

Second: Breinig

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

Motion Carried

Motion to approve minutes of October 28, 2020 Legislative Meeting

Motion: Breinig

Second: Daerr

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

Motion Carried

Solicitor interjected that Mr. Esken was not a member of the Board of Supervisors during the time that the minutes were approved.

Rescind Motion for approval of September 23, 2020 legislative meeting minutes.

Motion: Daerr

Second: Trax

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

Motion Carried

Rescind Motion for approval of October 14, 2020 legislative meeting minutes.

Motion: Daerr

Second: Trax

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

Motion Carried

Motion to approve minutes of September 23, 2020 Legislative Meeting

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to approve minutes of October 14, 2020 Non-Legislative Meeting

Motion: Lawson

Second: Breinig

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

Motion Carried

Solicitor’s Report from Sweat Law Offices was reported on and will comment during meeting on pertinent items appear.

Engineer’s Report, Harshman CE Group and will comment during meeting on pertinent items come up for discussion.

Supervisor Daerr updated about grant monies used for handicap accessible bathrooms in the Township Building. That is why bathrooms have been down for a few months.

Opening and reading bids for 2020 Drainage Improvement Program.

Results were:

Quigley Development, Inc.	\$119,626.00
Ligonier Construction	\$ 98,375.00
JR Contracting, LLC	\$ 94,219.00
Jet Jack, Inc.	\$103,747.50
Plavchak Construction	\$129,965.00
Geo Energy	\$ 99,491.30

Will be awarded to lowest bidder at Legislative Meeting on November 24, 2020.

City of Monongahela Police Department Report as ready by Officer Ryan Lenzi.

SEREMS Report. Contained in packet.

Animal Control Report. Contained in packet.

Building Code Official report attached. Contained in packet.

Mention of Vacant Positions:

1 – Board of Auditors

1 – SEREMS Board

Motion to add Agenda item – Roberta Singer expressing interest in occupying the vacant seat on the SEREMS Board representing Union Township.

Motion: Daerr

Second: Lawson

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

Motion Carried

Acceptance of Linda Roach, Code & Zoning Officer, resignation effective November 23, 2020.

Ms. Roach gave a short announcement of her resignation and reasons thereof.

Motion to accept Linda Roach resignation effective November 24, 2020.

Motion: Daerr

Second: Breinig

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

Motion Carried

Discussion regarding replacement of Code & Zoning Officer – Harshman CE Group to step in and cover Code Enforcement. Ms. Roach spoke of her resignation and reasons for same. She is not leaving because of the various lawsuits – she is leaving to care for an ill relative.

Motion to have Harshman CE Group supply Union Township with new Code & Zoning Officer

Motion: Lawson

Second: Trax

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

Motion Carried

Motion to approve repayment to Victoria & Robert Ferguson in the amount of \$46.30 for appealing Washington County Tax Assessment for their property at 32 Maple Street, Finleyville, PA.

Motion: Daerr

Second: Breinig

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

Motion Carried

Motion to approve emergency replacement of Township Building hot water tank in the amount of \$501.83.

Motion: Daerr

Second: Breinig

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

Motion Carried

Motion to approve Supervisors advertising their intent to appoint a CPA at Reorganization Meeting of 2021 to conduct 2020 Audit for township.

Motion: Lawson

Second: Trax

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

Motion Carried

Motion to table advertising budget for 2021.

Motion: Daerr

Second: Trax

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

Motion Tabled

Motion to approve hearing date of December 9, 2020 @ 3:45 a.m. and advertising the changes to Chapter 242 and Chapter 280 regarding time specifications for submission to the Planning Department.

Motion: Breinig

Second: Lawson

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

Motion Carried

Discussion / announcement regarding the Washington County Tourism Grant Program. Applications available at the meeting this evening or you can request via e-mail to the secretary of the Township. Deadline is December 3, 2020 @ 3:00 p.m. Hand-written applications will not be accepted. Explanation by Engineer Stiner regarding Grant Program. Applications available with Township Secretary.

Discussion regarding adopting Township Budget meeting and at least 20 days for public viewing prior to adopting.

Motion to approve the purchase of new light fixture for kitchenette in Township Building with cost not to exceed \$200.00.

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to approve Heavy Haul Agreement with EQT for Patterson Road, relating to the Mingo Well Site Project.

Motion: Breinig

Second: Lawson

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

Motion Carried

Motion to approve the Road Construction Agreement with EQT for upgrades to Patterson Road relating to the Mingo Well Site Project.

Motion: Lawson

Second: Breinig

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

Motion Carried

Motion to approve Road Maintenance Agreement with EQT for Road Cut across Patterson Road for drainage culvert, relating to the Mingo Well Site Project.

Motion: Esken

Second: Breinig

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

Motion Carried

Motion to approve the release of retainage from El Grande Invoice No. 1 for the 2019 paving project in the amount of \$10,153.03 due to delay in 2020 Road Program pushing double seal coat on Cardox to 2021.

Motion: Daerr

Second: Lawson

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

Motion Carried

Mr. Lawson requested a Township letter to go with payment confirming return to finish project.

Motion to approve Change Order #5 for 2020 Road Program for additional inlet on Turkeyfoot Road for \$4,930.00

Motion: Daerr

Second: Breinig

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

Motion Carried

Motion to table approve authorization of payment in the amount of \$192,103.20 from RACW to M. O'Herron for Overlook Sewer Project Pay Application #1 and Pay Application #2, minus 10% retainage. There have been issues with correct Certified Payrolls #1 and #2.

Motion: Daerr

Second: Lawson

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

Motion Tabled

Motion to approve Coronavirus Relief Fund Recipient Agreement between Union Township and Washington County.

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to approve purchase of Quickbooks Multiuser Licenses with a cost not to exceed \$500.00

Motion: Daerr

Second: Breinig

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

Motion Carried

Motion to approve Change Order #1 for the Foyer Renovation Project in the amount of \$11,000.00

Motion: Lawson

Second: Breinig

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

Motion Carried

Motion to approve Emergency Work Order, not to exceed \$4,000.00, for Truck #3 only for manifold repair issue, following proper procedure of obtaining same as stated in the Union Township Purchasing Manual. Quotes for repair to be obtained by November 20, 2020. Not to be taken to Washington Ford.

Motion: Daerr

Second: Lawson

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

Motion Carried

Notice to be given to Road Crew by Ms. Singer via e-mail and to be specific about completion date.

Supervisor Lawson suggested authorizing one truck to be taken immediately for repair. Issues that Truck #3 and #4 sat around all summer broken down and not repaired. Get one truck down and get it repaired.

Motion to obtain three quotes for transport for flair mower to get repaired. Follow proper procedure of obtaining same as stated in the Union Township Purchasing Manual. Arrangements must be in place by November 20, 2020.

Motion: Lawson

Second: Breinig

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

Motion Carried

Motion to approve Road Foreman to contact American Rock Salt and make necessary arrangements to have a portion of stored salt transported to the Township (at Nike Site), following proper procedure of obtaining same as stated in the Union Township Purchasing Manual. Arrangements must be in place by November 20, 2020. Motion was approved and ordering 350 ton back in August. E-mail to be sent to Road Foreman.

Motion: Lawson

Second: Trax

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

Motion Carried

Also, the salt situation should have been done in March of 2020 per Supervisor Lawson.

Motion to approve emergency purchase of tarp for covering salt at Nike Site. Purchase needs to follow proper procedure as stated in Union Township Purchasing Manual. Purchase must be in place by November 20, 2020. E-mail to Road Foreman regarding this item.

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to approve Secretary to coordinate registration and plate purchase for the Sewer Cleaning Machine. Plate and to be completed by November 20, 2020. E-mail to Road Foreman regarding purchase.

Motion: Breinig

Second: Lawson

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

Motion Carried

Motion to approve emergency purchase of glass from Johnny's Glass for replacement windshield of equipment at Nike Site. Purchase needs to follow proper procedure as stated in Union Township Purchasing Manual. Purchase must be in place by November 20, 2020. Supervisor Lawson added that windshield broken since March of 2019.

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to Road Crew Foreman to work with road crew to make arrangements and initiate work necessary to move c-can from Nike Site to Township Building. Road Crew to coordinate with Supervisor Lawson on preparation site for same. This was asked to be done 6 mos. Ago.

Motion: Breinig

Second: Lawson

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

Motion Carried



Motion to approve 6-month extension on Mineral Beach PR Approval per request from Applicant.

Motion: Daerr

Second: Lawson

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

Motion Carried

Discussion regarding Finleyville-Elrama Road Dye Testing. Solicitor to research into this matter.

Motion for potential workshop regarding EMS Consultant Report. Advertise workshop for Monday, November 23, 2020 @ 5:00 p.m.

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to advertise ambulance workshop Monday, November 23, 2020 @ 5:00 p.m. Alternate date November 30, 2020 @ 5:00 p.m., dependent upon parties' schedules.

Motion: Daerr

Second: Lawson

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

Motion Carried

Discussion regarding 2021 Road Program, more specifically Pleasantview and Coal Bluff. To be moved to Legislative Meeting on November 24, 2020. Engineer Stiner gave update on Pleasantview and Coal Bluff. Just to be paved – not drainage project to be done. Total cost of drainage, paving, etc. is \$397,000.00 including new cross drains, inspections, etc.

Discussion regarding Safety Report from Optimus Risk Services. Engineer Stiner and Secretary Roberta Singer to coordinate and handle updates/revisions.

Motion to approve Roberta Singer representing Union Township on the SEREMS Board of Directors vacancy.

Motion: Daerr

Second: Breinig

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

Motion Carried

Motion to approve bill pay list:

Brentwood Bank – General Fund in the amount of \$121,488.46

Motion: Lawson

Second: Daerr

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

Motion Carried

Motion to approve bill pay list:

Brentwood Bank – Escrow Fund in the amount of \$650.00

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to approve bill pay list:

Brentwood Bank – Elrama Sewage Fund in the amount of \$38.63

Motion: Daerr

Second: Breinig

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

Motion Carried

Correspondence – None

Remarks from Supervisors / Staff – Supervisor Daerr made notation about total cost of project is \$4,000,000.00.

None

Public Comment –

Bonnie – A thank you to Mr. Trax for the donation pumpkins for all the kids on behalf of School District.

Michalle Dupree – 6178 State Route 88 – regarding road paving program and cost of same and necessary form for Per Capita tax/income. Ms. Singer to handle getting Ms. Dupree the appropriate forms. Also questioned about reviewing the budget and will it be available for public viewing.

Kevin Daerr – 6187 State Route 88 – actions undefendable. Prior Supervisors shirked their responsibilities. A lot of projects were done without infrastructure and they failed. Sewage problems not addressed; actions undefendable. Forced by DEP to do 3 sewage projects at once.

Supervisor Lawson made statement regarding public comments. Mr. Spahr only here to stir up dissention and place doubt in everyone's mind. Ms. Dupree – no problem with you getting up there and paint your own personality up there – and if I don't get those minutes. Please don't interrupt me. Ms. Linda Evans to name employees and name some of my friends who are deceased - and handicapped spots and handicapped spots - we are paying for grievances because road crew was asked to park 30 ft. away.

Mr. Breinig – statement about monies with grants directed to Ms. Dupree. I have watched it decline. In the 50+ years I have lived here, I have seen things that were not done and should

have been. Projects were shot down when they should not have been. These current Supervisors are doing a great job.

Ms. Dupree said that when I said something about the Board, the way old Board did mess up – I am not speaking of this Board. And I am just asking for meeting minutes and the constant denial makes me more curious.

George Powell – comments regarding prior Boards, applications, fly-ash delivery.

Discussion regarding minutes, drafts of same. Same are not to be publicized until approved. Drafts of minutes are scribbled notes and tapes. Everything is still draft until Motion to approve.

Supervisor Daerr made statement about relationships between Supervisors and families and respect for each other. Another statement was made about a Supervisor elected 4 years ago and the 3 sewage projects. Residents are excited and thanking Supervisors for moving forward with these sewage projects.

Guesstimate totals for 3 areas around \$4,000,000.00. Other area are either shovel ready or close to shovel ready – very close to having these projects done. Average project though to boots on the ground is 4-5 years and never have seen 3 sewage projects at once.

Motion for Executive Session at 7:00 p.m.

Motion: Daerr

Second: Breinig

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

Motion Carried

Return from Executive Session at 7:15 p.m.

Motion to contact Finleyville Borough to aide our Road Crew for removal of Veteran's Banners from poles.

Motion: Lawson

Second: Trax

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

Motion Carried


Motion to Adjourn @ 7:20 p.m.

Motion: Daerr

Second: Lawson

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

Motion Carried



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ROBERTA J. SINGER, Secretary