

Union Township Board of Supervisors
Legislative Meeting
December 22, 2020 @ 5:00 p.m.

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

Pledge of Allegiance

Proof of Publication confirmed

Moment of Prayer offered by Pastor Glenn

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

Also in attendance were: Roberta Singer, Secretary/Ass't. Treasurer; Karen Brown, Administration; Gary Sweat, Solicitor, Sweat Law Offices; Jessica Stiner, Engineer, Harshman CE Group, Engineer; Frank Palermo, CPA, Palermo/Kissinger & Associates; Officer Jon Dytko, City of Monongahela Police Department.

Public Comment - None

Executive Sessions - None

Motion to approve payroll dated December 11, 2020 in the amount of \$7,798.97 which included 1 administrative, 2 road crew, 1 tax collector and 1 zoning hearing board members. It was noted by Supervisor Daerr that Kevin Daerr does not accept payroll for being on the Zoning Hearing Board. It was also noted by Mr. Sweat that the 1st check Mr. Daerr received for being on the Zoning Hearing Board was returned and voided. Pay is only submitted for Mr. Fincham and Mr. Powell.

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to approve payroll dated December 24, 2020 in the amount of \$10,047.14 which included 1 administrative, 2 road crew, and 1 furloughed road crew employee (vacation and personal days not being able to utilize).

Motion: Breinig

Second: Lawson

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

Motion Carried

Motion to approve Minutes from May 13, 2020 meeting

Motion: Lawson

Second: Daerr

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

Motion Carried

Motion to approve Minutes from November 12, 2020 meeting

Motion: Daerr

Second: Breinig

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

Motion Carried

Motion to approve Minutes from November 24, 2020 meeting

Motion: Lawson

Second: Trax

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

Motion Carried

Motion to approve Minutes from December 1, 2020 meeting

Motion: Esken

Second: Breinig

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

Motion Carried

Motion to approve Minutes from December 9, 2020 meeting

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to rescind Motion to approve minutes from May 13, 2020 meeting.

Motion: Daerr

Second: Trax

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

Will need to get legal review on this matter by Sweat Law Offices.

Motion Carried

Supervisor Daerr made statement regarding Ms. Singer handling internal affairs of Township and thank you for doing so.

Unfinished Business – 1 vacant seat on the Board of Auditors

New Business and Continued Items:

15A Steve Tropiani, Esquire – W. G. Tomko – spoke regarding blasting and noise issues. Benny Staudt with VibraTech was also in attendance and spoke about procedures and ramifications of blasting, etc. Hopefully to conclude blasting by end of January 2021. Currently working with 2 blasts per week and some weeks doing 3 to try to stay on schedule. Blasting conditions relate to weather conditions, etc. Working closing with DEP and following rules and regulations as previously stated. Operating at about 20% of what permissible values are regarding blasting.

Supervisor Daerr spoke of disinformation on social media about Mr. Tropiani and handling of same. Also stated about contacting residents regarding blasting. The Township was never responsible for notifying residents when blasts are conducted. All proper procedures are followed in contacting appropriate parties prior to blasting. (911, Jeff Yates of Washington County Safety, Monongahela City Police and the Township. All neighbors on call list are notified by Administrative Staff of W. G. Tomko regarding same. Mr. Staudt spoke regarding measuring blasting and following DEP regulations and monitoring all blasts.

Frank Palermo, CPA, spoke on 4th Qtr. Financials for Union Township. Spoke regarding President Trump to sign stimulus package but Township should not be expecting anything in that regard. Budget well put together. Township remains in good standing and good strength. Taxes through November 30, 2020, remain at 90% - similar capacity as last year. Earned income tax slightly down. Will research into that. Year to date – pretty good year. Road repairs cannot be done until next year due to COVID 19.

Mr. Sweat asked about projecting budget – 2nd class Township Code does not permit us to carry a deficit into the next year. Peaks and valley because of projects not getting completed because of COVID and what has to be carried to next year. We can use unrestricted fund balance to complete projects into next year. Characterization of Township is strong – more significant than other Township and continue to do projects to benefit residents. Supervisors did nice job conservatively with budget and moving forward.

No public comment or questions regarding budget and statements made by Mr. Palermo.

Supervisor Lawson made statement about budgets and other board he is presently a member. The time spent by Supervisors reviewing and adjusting to make the best decisions for the residents of the Township. Next year planned out pretty good.

George Powell – Finleyville Elrama Road – This information should be put in the paper and make residents aware of the standing of the Township.

Kevin Daerr – State Route 88 – spoke about seeking loans and a lot of good work goes on by the Board of Supervisors, a lot of thought in getting this Township where it is now with thanks to Frank (Palermo) and Gary (Sweat).

Motion to approve 2021 Budget as presented by Frank Palermo, CPA of Palermo / Kissinger & Associates.

Motion: Lawson

Second: Breinig

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

Motion Carried

Motion to approve 2019 Audit.

Motion: Lawson

Second: Esken

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

Motion Carried

Motion to approve Secretary/Treasurer Roberta Singer advertising 2019 audit.

Motion: Daerr

Second: Lawson

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

Motion Carried

Discussion regarding taking 2014 Jeep Grand Cherokee for maintenance check. Supervisor Lawson spoke that EQT has submitted maintenance records for Jeep and they had a complete overview of Jeep and detailed it was well. Mr. Lawson had road crew (Ron Lovrich) pull wheel and check brakes, etc. Brakes look relatively new and underneath looks brand new.

Motion to deny taking 2014 Jeep Grand Cherokee for maintenance check due to the fact that maintenance records received and all looks good.

Motion: Daerr

Second: Trax

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

Motion Carried

Motion to go into Executive Session to discuss litigation @ 5:40 p.m.

Motion: Daerr

Second: Breinig

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

Motion Carried

Return from Executive Session @ 5:52 p.m.

Motion to approve Township's Insurance Carrier, Argonaut Insurance and Attorney Scott Dunlop, the Township's Consent to settle the Tom Mellor lawsuit and cancel the non-jury trial scheduled for January 6, 2021 before Judge Kathleen Emery. Mr. Sweat explained that even though Argonaut is paying settlement, the Township has to approve settlement and consent of the Board.

Motion: Trax

Second: Lawson

Roll Call: Daerr – no Trax – yes Lawson – yes Breinig – yes Esken - yes
 Ms. Daerr made statement regarding false claims and ruining my name and life's work and my family and she does not approve.

Motion Carried

Discussion regarding purchasing of flammable cabinet for shop. Bids we received were: Global Industries - \$1,055.84, Toolots for 45-gallon cabinet for \$904.60, and Toolots for 90-gallon cabinet is \$1,237.60.

Motion to approve purchase of flammable cabinet for shop from Global Industrial and cost is not to exceed \$1,100.00.

Motion: Trax

Second: Lawson

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

Motion Carried

Motion to approve Pay Application #1 for the 2020 Road Program to Ten Mile Paving for \$402,292.82 (including 10% retainage).

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to approve full payment of McChain Road crossing repair to Ten Mile Paving for \$10,428.00.

Motion: Lawson

Second: Breinig

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

Motion Carried

Motion to approve full payment of Airport Road curbing to Ten Mile Paving for \$8,434.00.

Motion: Lawson

Second: Esken

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

Motion Carried

Motion to approve Pay Application #3 for the Overlook Sewer Project for \$56,717.95 (\$36,552.00 to be paid directly by RACW and \$20,165.95 to be paid by PennVest loan through Union Township). To be paid out of general funds and reimbursed by PennVest.

Motion: Daerr

Second: Lawson

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

Motion Carried

Supervisor Lawson made statement that \$478,000.00 worth of work, supervising work, and 10 separate areas of work. Harshman doing good job and keeping things in line and Sweats' legal work – we are doing a good job with everything. A thank you to Ms. Stiner for her work and dedication.

Discussion regarding purchase of tires for Truck #3 with bids being Big G Tire Pros for \$1,517.02, Behanna Firestone for \$338.00 per tire, Behanna Hankook for \$325.00 per tire, and Essey Tire Ironman for \$923.66. Supervisor Lawson made statement regarding bids and stated that the funds for 6 better tires considering distance and reputation of tires. Suggestion to go with Behanna and all 6 tires. Also, quotes were for steering tires and not lug tires. New Behanna quotes for 6 to 6 for comparison soaks. Behanna total is \$2,626.0. Also includes 2 front tires for backhoe.

Motion to approve purchase of tires for Truck #3 from Behanna for \$2,626.00. (Hankook Tires)

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 Overlook Sewer Project totaling \$21,720.00

Motion: Daerr

Second: Trax

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

Motion Carried

Motion to approve Bill Pay List in the amount of \$144,381.82

Motion: Lawson

Second: Breinig

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

Motion Carried

Public Comments:

George Powell – Finleyville Elrama Road regarding snowfall. For 2 men working on roads, our Township roads were in better shape than state roads. And tires discussion regarding having extra tires available if needed.

Comments regarding Sarah Scott of Sweat Law Offices passing bar exam and that she is now Sarah Scott Esquire. And statement on Right to Know Requests have been fulfilled and any further should be directed to myself or Secretary.

Remarks from Supervisors:

Supervisor Lawson regarding called on Massey Ferguson Flail Mower. Spoke with John – tractor not in shop and clearing place to work on it. C-can still not moved - need to be accomplished. Will discuss later. Comment on Veterans Banners and framework for same. Made out of PVC is too flimsy. Contacted company regarding making new brackets – 4 signs on pole - \$75.00 a piece. Cost to put up new, take down old, new framework on poles, etc. is \$10,000.00. Costing us now about \$2,500 to put up and down with flagging. Also questioned LED rotating sign 6' high x 10' wide and can be changed and put advertising on it. This cost is \$25,000.00.

Supervisor Breinig regarding electrician coming in to give estimate on exit signs and outlets in shop that need repaired and/or replaced. Also went up to Nike Site and looked for electrical possibilities in the garage up there. Waiting for additional quotes/bids from other electricians. Also responded to inquiry into jars of honey in mezzanine (cases) being stored and probably up there for 15 years. Supervisor Daerr stated that we need to get it out of there. Supervisor Lawson said that we need to get safety harness and secure themselves up there to remove same. Needs to be thrown away or disposed of properly. There are cutting edges, plows, lots of stuff to get cleaned up but must have harness so they will not get hurt if they fall.

Ms. Stiner got quote for repairing exit signs in building for \$1,150.00.

Motion to approve McBracey Corporation to repair exit signs in building for \$1,150.00.

Motion: Daerr

Second: Trax

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

Motion Carried

Motion to Adjourn @ 6:22 p.m.

Motion: Daerr

Second: Trax

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

Motion Carried



 ROBERTA J. SINGER, Secretary

