

Board Approved: January 23, 2017

Union Township Board of Supervisors
Regular Board Meeting
January 9, 2017

The Board of Supervisors Meeting was called to order by Chairperson Deborah Sargent at 7:00 p.m. The meeting was held at the Union Township Municipal Building, 3904 Finleyville-Elrama Road, Finleyville, PA. The pledge of allegiance was recited.

Board Members in Attendance by roll call were Larry Spahr, Charles Trax, Paul Chasko, Heather Daerr, and Deborah Sargent.

Also in attendance, Mr. Gary Sweat-Solicitor, Mr. James Harshman-Township Engineer, Mr. Jarod D'Amico-Township Engineer, Judy Taylor-Treasurer, Debra Nigon-Secretary, Harold Ivery-Building Code Official, and Peter Grieb-Code Enforcement Officer.

It was noted that the meeting was not being recorded as that would begin after the policy for recording meetings was reviewed by the solicitor. Since there will be a wait for any donation from the school, a podium will be purchased in the sum of approximately \$250.

Public Comment

Mr. Matola, 21 Maple Street, commented on puddling at the intersection of Scheinbach and Aber Roads where water from Scheinbach isn't making into the culvert. The Road Superintendent informed him that in the summer they are planning on cleaning the cross pipes all the way down the road.

Departmental Reports

Monongahela Police began serving the Township on January 1. The statistics for their eight days of service was delivered by Officer Harris who is scheduled as the primary officer-in-charge on daylight. Over the eight days, Officer Harris explained that they responded to 30 calls. He read the statistics from the written report which was provided to the Board. The contact information for the police was also provided to those attending which will also be included on the website. In emergencies calls should be placed to 911. There is a phone in the Union Township police office which can be used for non-emergency calls: 724-782-0670. The Police Station/Chief in Monongahela can be reached at 724-258-5511. Callers can also provide tips or emails of a non-emergency nature to: uniontwp@cityofmonongahela-pa.gov. The Drug Task Force can also be called anonymously at 1-800-281-0070.

Officer Harris said that their police calls are on their computer system and will be printed for a binder which can be maintained in the front office should residents, staff, or supervisors wish to review the calls.

It was discussed that the contract reads that the report would be given at the 2nd meeting of the month. The solicitor saw no reason why the report could not be given at the first meeting.

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In regard to traffic, Chief Tempest said the lines painted on the road for traffic are currently two feet off in favor of the public. Those lines must be repainted by the crew.

Two radios and a dog vest were to be returned by SWRPD. The radios have been turned over to the Township. The dog vest could not be located. In terms of the radios, Chief Tempest said that they cannot be used since Monongahela uses a higher frequency. Due to the incompatibility of the radios, he suggested that the Road Superintendent and crew use them for road purposes.

Ms. Daerr delivered a Supervisor's Report. In her report she mentioned a reference at the meeting on December 21 to a one million dollar deficit which she thought was misleading and needed to be explained. Ms. Daerr said that the true deficit for the 2017 budget is \$241,000 which was coming from the \$2 million reserve that was in the general fund balance. Further, since the Township does budget conservatively, the general fund may not be depleted by \$241,000 in actuality since spending may not meet the budget forecasts. She explained that the \$400,000 mentioned by Mr. Spahr would be the 20% of the Township budget that is recommended to be kept in reserve. To come to the \$1 million number, the \$241,000 was added together with the \$400,000 along with other funds which are "assigned," which simply means ear-marked and not necessarily spent. She also commented about a flyer and a news article that was in the Observer-Reporter, saying that what was stated within the flyer did not happen.

Mr. Spahr explained that he was not implying that the budget was \$1 million in deficit but was making the point that the Township has to keep at least \$400,000 in reserve and, if the Township begins running a deficit on an annual basis, there will be no money to build and maintain the general fund balance if it keeps getting depleted.

Ms. Sargent said that, based on comments she received from the consultant, that she wanted to revisit whether two monthly meetings with professional services attending both meetings was necessary. The options were discussed.

Motion to change the meeting format beginning in February 2017 with the first meeting being an agenda meeting and the second meeting being a legislative meeting, with professional services and Ms. Taylor attending the first meeting only.

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

The secretary will send the first agenda meeting format to Gary Sweat for review and assistance.

Motion to approve general fund bills in the sum of \$163,796.04, as of January 9, 2017, as presented by the Treasurer, subject to being true and correct.

Motion by Heather Daerr, Second by Charles Trax

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion carried.

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The Treasurer noted that the Monongahela Police Contract is to be paid quarterly which accounts in part for the larger than typical sum paid in bills this meeting.

In regard to the air quality ordinance, Mr. Sweat informed the Board that he has provided a replacement ordinance which addresses dust control and accompanies an amendment to the current grading and excavation ordinance as well. The dust control ordinance contains a clause whereby, when air quality raises to the level of air pollution and contamination, enforcement would fall under the regulations of the EPA and DEP. The amendment to the grading and excavation ordinance will include the necessity for a dust control plan as part of every grading and excavation permit. Also the bond will be eliminated and an escrow will be put in place. Once the Board reviews the ordinances, they can advertise them for adoption since it is recommended that both ordinances be adopted at the same time. The Planning Commission does not need to review the dust control ordinance and amendment to the grading and excavation ordinance since they do not involve land use. Mr. Harshman and MCS will do a consistency check against the fee schedule.

In terms of the recording policy, Mr. Sweat informed the Board that there should not be two different versions of the minutes, a recording and paper copy. The written procedure he provided allows the Secretary to record the meeting as an aid to help her to check on any questions she has in the minutes. After the minutes are approved, the policy says the recording will be erased within 24 hours following approval.

Ms. Daerr had requested that the International Property Maintenance Code be placed on the agenda for discussion. It had previously been reviewed by the Planning Commission which chose not to adopt any portion of the IPMC. Mr. Sweat advised that adoption of applicable portions would put all the ordinances in one place in the code and that the Board would only need to adopt portions with which they agreed since some may find some provisions of the IPMC too invasive of individual property owner's rights. There was a question regarding the recent codification and what would need to be done to institute an entire reworking of property maintenance. Mr. Sweat explained that those affected ordinances which have already been codified, would have to be repealed since a stand alone property ordinance could lead to inconsistency and put the Township at legal disadvantage. Municipal Consulting Services will review the IPMC and the current ordinances again to see if there are any weak areas they believe could be strengthened by using the IPMC. The Board was provided in their Board materials with a copy of the IPMC checklist that Mr. Sweat had supplied to the Planning Commission and the Board at an earlier time. He encouraged the Board to review the table provided in the IPMC checklist on which they can check yes or no to each individual IPMC item. It will be reviewed at the agenda meeting. The Secretary was asked to obtain a cost from General Code for revisions.

Ms. Daerr announced that she had invited Jarod D'Amico of Harshman CE Group to attend the meeting today in reference to the proposal delivered by Harshman CE Group to perform code enforcement for the Township. Ms. Daerr said that approximately \$15,000 to \$16,000 is spent per year on code enforcement. She asked for the Board's opinion of contracting with Harshman CE Group to have Mr. D'Amico perform code enforcement under a retainer of \$1250 per month. She also noted that Monongahela Police will also help enforce ordinances

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concerning burning, grass, and junk cars. Mr. Harshman suggested that MCS hand over specific code enforcement issues to help with the workload.

Chief Tempest explained the process for removing junk cars in Monongahela. Mr. Chasko asked the solicitor to check the law as it would pertain to removal of cars from private property.

Motion to hire Jarod D'Amico for code enforcement at \$35/hour not to exceed \$1200 per a six month period.

Motion by Deborah Sargent, Second by Chuck Trax

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion carried.

In terms of the agenda item for notification to Overlook Street area residents of the planned sewage project, Mr. Harshman suggested having the meeting during the 30 day comment period which is planned for January 16 through February 15. He will coordinate getting the ad in for the Act 537 Plan with Ms. Taylor and will include a line for the suggested resident workshop.

Motion to include within the advertisement for the 30 day comment period for the Overlook Sewerage Act 537 Plan advertisement of a Workshop to be held on February 13, 2016, at 6:00 p.m. to discuss the Overlook sewerage with mailing of a personal letter of invitation to go out specifically to the impacted residents.

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

In regard to the stop sign on Coal Bluff, Mr. Harshman reported that the required engineering portion is complete and a letter has been written.

Motion to authorize Gary Sweat's office to draft an ordinance to place a stop sign at the intersection of Coal Bluff and Gilmore Road.

Motion by Heather Daerr, Second by Charles Trax

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion carried.

It was discussed that the Township received a poor response to the letters which went out to the owners of holding tanks requesting a signed holding tank agreement, funding of an escrow, and pumping receipts. In regard to Mingo Circle sewage/septic issues, Mr. Grieb spoke with Stan Glumac about two weeks ago who informed him that he would be doing five dye tests. He will check with him to see if they have been done. Mr. Sweat advised sending a second letter. Jarod D'Amico will get together with Mr. Grieb and start following-up on the requests for holding tank compliance.

In terms of the fire contracts, it was discussed that Worker's Compensation was in the Elrama Contract and not in the Finleyville Fire contract. The Finleyville Fire contract contained a statement about not responding to down trees which was not in the Elrama Fire contract. Leonard Bailey was in the audience and reported that they are working on a report for the whole year for the Board as they do take down a lot of trees. Mr. Bailey said that he was okay

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with leaving the clause which was in Finleyville's contract out of their contract. It was noted that Jonathan Madaras is now the President of Elrama VFC.

In terms of emergency assistance for winter snow removal, Mr. Trax said he spoke with a contractor who does this type of work. This contractor requires a stable route since, when he would be called in to assist, he would not be familiar with all the routes. Also, the contractor would need a 15 to 20 mile run as opposed to something like a 5 mile run to make the work worth his while. His rate would depend on the mileage of the run. Mr. Mellor pointed out that it would be best for the contractor to use his own salt and equipment as there may be liability issues with loading his truck and using the Township salt. Mr. Mellor also cautioned that there are issues surrounding the spending of Liquid Fuels funds.

No Supervisor felt moved to act in response to the School Choice Proclamation request which was received in the Township and appeared on the agenda.

The item on 23 Airport Road has to do with a drain that is clogged on private property. The water is pooling on the road. Harshman CE Group will look at the clogged drain issue and coordinate with MCS as necessary.

There was an accident on Courtney Hill Road recently where a resident drove into a flooded area. PennDot visited the office asking if we would like to use the Turn Back program for that road. It was discussed that PennDot checked with their legal department and appropriate signage fulfills requirements. Tom Mellor said he met with First Energy about the LED program and asked for a price on installation of a couple street lights if the owner of the mine would consider paying the cost for the lights and installation once it is established. Mr. Sweat suggested that it may be a good idea to pursue LSA grant funding since this is a source for projects that otherwise would be impossible to fund. Mr. Mellor will provide the estimate to the mine owner. Currently, DEP pays a company to manage the signs and the pumps.

Ms. Sargent offered to put up a Township Facebook page to help communicate to residents which she is volunteering to manage. Information can be posted by the Township or groups advertising events, but it will not be open to public comment on any topic.

The post of police liaison was discussed.

Motion to appoint Deborah Sargent as police liaison

Motion by Charles Trax, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried. .

Motion carried.

The agenda item on the need to update various ordinances was discussed. Mr. Trax at one time requested that the noise related to drilling be reviewed for any possible strengthening. Also, Ms. Sargent noted that there has been a rumor that a Walmart might be coming into the Township. With that in mind, Mike Sylvestri who is acting as consultant to the Township, was requested to look at the ordinances in relationship to development. Mr. Griebbs suggested review of the Big Box (large scale retail establishment) ordinance. MCS also noted that the

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North Strabane gas ordinance which was provided was going to the Planning Commission for review, after which time it will be on the agenda.

Motion to advertise a retreat on January 28, 2016 from 9:00 a.m. to 2:00 p.m. at the Peters Township Library
 Motion by Deborah Sargent, Second by Heather Daerr
 Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.
 Motion carried.

Ms. Daerr asked for the Board's concurrence to ask Rich Cleveland about the PA American Water Environmental Grant application which was received in the Township mail. She will work with him on a possible application for funding.

Mr. Spahr mentioned that with the approach of construction season and the various projects being considered that a timeline and plan was needed to determine when we need to advertise and accept bids to get these projects done.

In terms of Sugarcamp Road, Mr. Mellor reported that First Energy offered to move the pole at no cost if it is in the Township's right-of-way; otherwise, it will cost about \$3,000 to move the pole. First Energy will get back to us in a week or so with an estimate.

In terms of the Garvin Road project, Harshman CE Group is currently preparing bids specifications and would like to advertise next month so that bids can be receive in March, possibly February.

Regarding Jason and Jack culvert replacement, Mr. Harshman reported that on Wednesday he received initial comments back from DEP. He believes the project can realistically be completed this summer.

Mr. Harshman said that, since the Ridge Avenue project did not secure LSA grant funding, complete replacement of the culvert is too expensive at this point. He advised the Township to keep an eye on it and believes, if the Jason and Jack street project are completed successfully, the Township has a good chance of securing funding next year.

In terms of the bridge by Giant Eagle, Mr. Harshman reported that one of the inspectors performed an inspection. He would like to do a follow-up with Tom Mellor and perform some research that needs done about construction. There are some concerns. The steel decking is deteriorated. This may require a weight restriction or it could be a replacement situation depending on what the research shows.

Public Comment

Frank LaTorre, 7 Boyka Drive, complimented the crew on a job well done during the last snow episode. He stated that he believes they need some support. As far as the junk vehicles, Mr. LaTorre commented that he believed the junk car enforcement should be given to the police with other enforcement given to Jarod D'Amico. He also commented that there were some appointments made at the Reorganization Meeting which he wanted to comment about. He

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was appointed as Vacancy Board chairman and also serves on the Zoning Hearing Board and Washington County Tax Collection Committee. He said that he believes appointments should be taken seriously and should stipulate that it be mandatory that those appointed attend most meetings.

Mr. Matola, 21 Maple Street, commented that he was happy with the demeanor of the Board at this particular meeting and was hoping that the demeanor remains the same. He gave his opinion that comments from the public do not require an immediate answer since the meeting is for the Board to conduct the business of the Township with the public having the right to sit in and listen as well as to have the opportunity to make comment. He was in favor of Ms. Sargent using the gavel when she took the chair. He said an answer to a resident comment could be provided to the public at a subsequent meeting.

Millicent Powell, 96 Gilmore Road, commented that the older population who remember street names and other information about the town should point out corrections and educate since there is no historical society in Union Township. She noted that, about 20 years ago, the Odd Fellows Hall was sold and it was auctioned off. At that time, George Powell brought back a bible from the sale which had written in it the "Ladies of Coal Bluffs Road," not singular, but plural. She also said that what is known as Ray Road should be Wray Road for the farm that was there and Jim Wray who was the County Commissioner from Union Township. She commented that something is needed in lieu of having no historical society.

Motion to go to Executive Session at 10:23 p.m. to discuss contract and labor negotiations
 Motion by Debora Sargent, Second by Paul Chasko
 Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried. .
 Motion carried.

Ms. Nigon and Ms. Taylor were called in separately for employment reviews.

The Board returned from Executive Session at 11:15p.m.

Motion to adjourn at 11:15 p.m.
 Motion by Heather Daerr, Second by Deborah Sargent
 Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried. .
 Motion carried.


 Debra A. Nigon, Secretary

Minutes not certified by the 2018
 Union Twp. Board of Supervisors
 or staff members.
 Refer to Resolution 2018-7
 for details.