

Union Township Board of Supervisors
 Non-Legislative Meeting
 February 14, 2018
 6:30pm

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 6:30pm. 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 Richard Lawson, Charles Trax, Deborah Sargent, and Heather Daerr. Supervisor, Paul Chasko was absent.

Also in attendance, Robert Balogh-Manager/Asst. Treasurer, Gary Sweat-Solicitor, Nicole Dooley-Secretary/Treasurer, James Harshman-Engineer, Jarrod D'Amico-Zoning/Code Enforcement Officer, Peter Overcashier-Acting Road Superintendent, Kevin Harris-City of Monongahela Police.

Public Comment on Agenda Items:

Frank Latorre: 7 Boyka Drive, Finleyville, PA. Mr. Latorre thanked Mrs. Lawson and Mrs. Daerr for refreshments. Mr. Latorre expressed concerns regarding Mr. Tomko applying for a mining permit and the legalities surrounding current zoning ordinances. Mr. Latorre also expressed his concern regarding the real estate value in the Boyka plan.

The Board of Supervisors entered executive session to have discussions with auditors from Maher Duessel. Supervisor, Heather Daerr reported the meeting was in executive session to discuss and analyze the forensic audit performed by Maher Duessel. Solicitor, Gary Sweat stated the audit period started January 1, 2017 through September 11, 2017. He noted the former treasurer had maintained twenty-six different bank accounts. Mr. Sweat reported the auditors obtained cancelled checks from the banks, verified transactions and traced multiple transfers of monies. The auditors researched credit card transactions as well as various cash receipt purchases. He assured the Board of Supervisors and residents Maher Duessel has done a thorough job of auditing the book keeping records of Union Township. Mr. Sweat stated Maher Duessel agreed to submit a written report that will detail the audit findings. Solicitor, Sweat said Union Township will receive professional recommendations regarding the Townships book keeping and how to move forward. The recommendations will lead to more efficient book keeping, more readable audits, and it will help the Board of Supervisors make short and long-term decisions. Supervisor, Heather Daerr stated the Board of Supervisors were breaking the agenda protocol and skip ahead to agenda item A, and allow a presentation by Frank Palermo, from Palermo/Kissinger and Associates. Mr. Palermo proceeded with his presentation to the Union Township Board of Supervisors regarding quarterly financial status reporting. Mr. Palermo's goal is to provide the proper reporting to the Board of Supervisors, help resolve previous deficiencies of the past book keeping practices, and help tighten up income accounts. In addition, provide the proper reconciliation of revenue accounts including taxes and sewerage accounts. Mr. Palermo reiterated to the Board of Supervisors it will take some time to clean up the book keeping records and collapse the unnecessary banking funds that have been put in place by previous Boards and employees.

Departmental Reports:

Departmental reports were delivered by Peter Overcashier- Acting Road Superintendent, Kevin Harris-City of Monongahela Police Department, Jarrod D'Amico-Zoning/Code Enforcement, James Harshman-Engineer, Robert Balogh-Manager/Asst. Treasurer and Gary Sweat-Solicitor. Also, included in the Board of Supervisors meeting packets were reports from the Ambulance, Animal Control, and Elrama Volunteer Fire Company.

During Mr. D'Amico's report, he provided information obtaining to Union Township's Ordinance 100 with regards to an offending property located at 13 Mingo Circle. Discussions ensued between Mr. D'Amico, Mr. Sweat, and the Board of Supervisors surrounding solutions to the mandatory sewerage remediation put in place by the DEP. Solicitor, Gary Sweat asked for the Board of Supervisors to consider approval of filing a Municipal Lien against the offending property located at 13 Mingo Circle. The lien would include the current costs incurred and at the appropriate time update the costs as the process continues.

Motion to approve the Solicitor, Gary Sweat to file a Municipal Lien against the Curry residence in the amount of \$25,000.00 for cost associated with the holding tank replacement, Engineering fees, Attorney fees, and current to date pumping charges.

Motion by Heather Daerr, Second by Charles Trax

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Deborah Sargent-YES, Heather Daerr-YES. Motion Carried.

Engineer, James Harshman reported on active topics of the following: Mingo Circle sewerage malfunctions, Tomko Land Development application, Tomko Grading Permit, Finleyville Airport Grading Permit, Jason & Jack Bridge projects, PA Small Water and Sewer Grant, 2018 Paving Project and necessary repairs on various roadways in Union Township. Mr. Harshman noted there has been a delay in Jack Street Bridge replacement project. The PA One call utility markings indicated a gas line was closer than what was marked on original plans. A utility pole needs to be relocated for the culvert to be properly placed. Mr. Harshman also commented on the easements required to make the necessary repairs on Coal Bluff Road. He stated a portion of property the Township needs access to be owned by Consol. Consol has approved a permanent easement to the Township however, they are asking for \$1,000.00 to do so. Paperwork has been provided to Solicitor, Mr. Sweat for review. Continuing Mr. Harshman's touched base on the erosion of Railroad Street and the stability of Ridge Street culvert. Mr. Harshman also included in his written report inactive topics of Tuscany Estates, EQT McIntosh Compressor Station, EQT Hartson Subdivision, Daugherty Plan of Lots3, Sunoco Patterson Road, Patterson Road Wafsh Detour Request, Garvin Road DGLVR Grant, and the McChain Road slide.

Manager, Robert Balogh reported to the Board of Supervisors he has been responding and resolving numerous complaints as much as he can through a combination of the BCO, Police and himself. The processes are working a lot better. Next, he reported the process of applying for the initial certification of the safety committee has begun. He noted the Township carries workers compensation policies through two different systems. The Elrama Volunteer Fire Department compensation policy is insured through SWIF. Union Townships Municipal employee's policy is handled by Municipal Risk Management. The Department of Labor stated the 5% discount does not apply to self-insured agencies. Municipal Risk Management is a self-insured agency. The 5% discount does apply to the SWIF policy. However, the certification process can only begin at the renewal period of the policy. The renewal policy for the SWIF policy is 10/1/18. The initial application will be made in July. Mr. Balogh also reported he investigated the PA One Call service bill. He delineated additional features that are not required and the Board of Supervisors should see a reduction in the cost of the monthly billing statement. Mr. Balogh also reviewed the snow removal budget. He also reported on building maintenance. Mr. Balogh provided the Board of Supervisors with some financial reports in their meeting packets. He made the statement regarding the total cash in various bank accounts. Supervisor, Deborah Sargent elaborated on the financial status of Union Township. She underscored Mr. Balogh's statement and noted Union Township is not in financial ruins as previously construed by former Board Members. Mr. Balogh noted at the end of his report he would reserve his right to make additional comments on agenda items as they are discussed.

New Business:

Agenda items discussed under new business included the following.

- A. Consider Palermo/Kissinger Quarterly Financial Status Reporting Proposal.
- B. Approve Resolution 3 of 2018 Which Authorizes Township Officials to Apply for a PA Small Water & Sewer Grant and Additionally Approve the \$100.00 Application Fee.
- C. Consider PSATS Subscriptions and Publications.
- D. Consider Approval of Manager Applying for a Township Credit Card.
- E. Consider Reimbursement for Labor Paid for Veterans Memorial Contracting.
- F. Consider Union Township Veterans Memorial Project Granite Quote.
- G. Consider Authorizing WESA to Use Debt Collection Service.
- H. Consider Washington County Sewage Council Resolution.
- I. Consider Campbell, Durrant, Betty, Palmbo & Miller PC as Special Legal Counsel to Liquidate PNC Police Pension Funds.
- J. Consider Condemnation of Blight Properties for CDBG Grant Funds Demolition Project.
- K. Consider Board Action on Property Violations Under Ordinance 100.
- L. Discuss Middle School Task Force.
- M. Consider PCSA Clairton Municipal Authority Act 537 Amendment.
- N. Consider Appointments to Union Township Boards & Commissions.

- O. Consider W. G Tomko Land Development Application.
- P. Union Township Long Range Planning and Goals.
- Q. Discuss C2P2 Grant Requirements and Potential Costs.
- R. Any Additional Items.

Moving forward through the agenda items Supervisor, Heather Daerr stated the Board of Supervisors needed to break meeting protocol to approve or deny agenda item B regarding the adoption of Resolution 3 of 2018. This resolution included items formerly approved by the Board of Supervisors and would begin the process to apply for the PA Small Water and Sewer Grant.

Motion to approve Resolution 3 of 2018 which authorizes Township Officials to apply for a PA Small Water and Sewer Grant and additionally approve the \$100.00 application fee.

Motion by Heather Daerr, Second by Charles Trax

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Deborah Sargent-YES, Heather Daerr-YES.

Motion Carried.

Under agenda item letter N. The Board of Supervisors, Solicitor, and Manager discussed vacancies on various boards and commissions. Solicitor, Gary Sweat recommended board act on an appointment to the Zoning Hearing Board. He stated Mr. Tomko has filed an appeal for clarification of interpretation of a proposed use and requested a hearing before the Zoning Hearing Board. Mr. Balogh requested the Board of Supervisors first accept the verbal resignation of Zoning Hearing Board member, Millicent Powell.

Motion to accept the verbal resignation of Millicent Powell's Zoning Hearing Board seat.

Motion by Heather Daerr, Second by Charles Trax

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Deborah Sargent-YES, Heather Daerr-YES.

Motion Carried.

Motion to appoint George Powell to the Zoning Hearing Board with a term expiring December 31, 2019.

Motion by Heather Daerr, Second by Charles Trax

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Deborah Sargent-YES, Heather Daerr-YES.

Motion Carried.

Solicitor Sweat advised the Board of Supervisors to consider appointments to Union Township Planning Commission at the Legislative Meeting on February 28, 2018.

Mr. Sweat stated most of his report had made comment throughout the evenings agenda. However, he wanted to speak of the Drusbasky Litigation. He noted Mr. Crumy of Sweat Law Offices has argued the Preliminary Objections before Judge Emery on February 8, 2018. He reported Mr. Drusbasky has refused to discontinue his litigation because he is seeking damages for the alleged water infiltration into the basement of his home. Mr. Sweat has notified Union Township's insurance carrier of the status and will be turning the defense of this case over to the insurance carrier. Based on the agreement with the DEP, we are now able to install the storm water drain over Mr. Drusbasky's property. However, Mr. Sweat strongly advises no action to be taken now. Mr. Sweat would like approval from the Townships insurance carrier. He does not wish to risk losing coverage from the insurance carrier.

The Union Township Board of Supervisors entered a second executive session. The Board of Supervisors returned from executive session at 10:55pm and stated they were now back on record. Supervisor, Heather Daerr confirmed that in executive session the Board of Supervisors discuss employment issues and potential litigation issues.

Motion to rescind the appointment of Robert Clarke as Solicitor of the Zoning Hearing Board.

Motion by Heather Daerr, Second by Deborah Sargent

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Deborah Sargent-YES, Heather Daerr-YES.

Motion Carried.

Motion to appoint Steve Taczak as the Solicitor for the Union Township Zoning Hearing Board.

Motion by Heather Daerr, Second by Deborah Sargent

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Deborah Sargent-YES, Heather Daerr-YES.

Motion Carried.

Public Comment on Non-Agenda Items:

Hal Breining: (No Address Given) Mr. Breining expressed his appreciation for the new board. He expressed his concerns regarding the procrastination of the board regarding certain committees. He expressed his concerns regarding moving Union Township forward. Mr. Breining voiced his opinion surrounding the structure and future of the former Ringgold Middle School. Mr. Breining voiced his opinion on cleaning up Union Township.

Frank Latorre: 7 Boyka Drive, Finleyville PA. Mr. Latorre expressed his opinion regarding the work being done at the Tomko worksite. He voiced his opinion regarding nuisance issues related to the Tomko worksite. Mr. Latorre expressed his concerns regarding property value in the Boyka plan. Mr. Latorre voiced his opinions regarding the refund of the Tomko Grading Permit.


Kevin Daerr: 6187 Route 88, Finleyville PA. Mr. Daerr expressed concerns regarding sewerage ordinances. He asked Solicitor Sweat if Peters Creek Sanitary Authority(PCSA) has or had the authority to supersede any of Union Townships enforcement of ordinances. He also asked the solicitor if PCSA has the authority to pass laws. Mr. Sweat stated PCSA has the authority to adopt resolutions not pass laws.

Motion to Adjourn at 10:55pm

Motion by Heather Daerr, Second by Charles Trax

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Deborah Sargent-YES, Heather Daerr-YES.

Motion Carried.


Nicole L. Dooley, Secretary