

Board Approved: May 26, 2015

Union Township Board of Supervisors
Regular Board Meeting
May 11, 2015

The Board of Supervisors Meeting was called to order by Chairperson Larry Spahr at 7:07 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 Stephen Parish, Larry Spahr, Charles Trax, and Paul Chasko. Edward Frye was absent due to illness. Also in attendance, Dennis Makel--Solicitor, Mr. Carl DeiCas--Township Engineer, Judy Taylor--Treasurer, Debra Nigon--Secretary, Harold Ivery--Building Code Official, and Peter Grieb--Code Enforcement Officer.

Public Comment

Pete Guido, 125 Viareggio Way, Tuscany Estates, inquired about the diesel tank. Glenn Mellor, Road Superintendent, said it was nearly empty. Mr. Mellor could not tell him specifically if the liquid was diesel fuel even though that is the most likely assumption. Mr. Makel said the developer had assured him that he would start moving the debris off the site; however, Mr. Ivery and Mr. Grieb made a site visit and could not see evidence of this work having been done. Also mentioned was a port-a-john, presumably owned by Maronda Homes, which needs to be serviced or removed.

Motion to authorize the solicitor to execute against the developer's bond of Quaker Engineering prior to its expiration.

Motion by Steve Parish, Second by Paul Chasko

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-absent. Motion carried.

Mr. Spahr asked that Municipal Consulting Service keep the Board informed through emails to Ms. Taylor of everything that is being done at Tuscany Estates.

Departmental Reports

Police Report. Sargeant Pocsatko read the statistics and reported that the additional police details being held at the Beach House appear to be effective. Mr. Makel and Mr. Spahr thanked the officers for their service.

Road Report: Mr. Mellor provided a written report and detailed verbal report on the activities of the road crew. In the list was the maintenance of Fawn Valley Road island. Mr. Spahr confirmed with the Board that they were all in agreement regarding the road crew taking over maintenance of the island, as well as with the crew emptying the new trash cans at Brownsville Park. Mr. Mellor listed other work performed involving placing signs, chipping, mowing, cold patching, and installation of a curb on Isabella and Orchard. There is also a possible sewage issue they are working on across from 22 Mingo Circle where a terra cotta pipe has been exposed. The contents of the pipe will be tested. Mr. Mellor said that he also looked at an issue with mine water run off on McClelland Road. The crew will try to redirect the water; however, if grant money for mine drainage could be obtained, he believed some pipe and

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stone could resolve the issue. He will review the area with Mr. DeiCas to see what he recommends.

Regarding the parks, more mulch is needed at the Jason Drive park. The mulch and fabric would be about \$2700. New mulch has already been placed and graded at Brownsville Park. In addition, two benches have wood that is deteriorating and he will purchase replacement boards which the crew will need to install. The playground inspection report is due soon which will let them know any other areas that need to be addressed.

Mr. Mellor also reported that the railings in front of the Township building and bench posts need grinded and painted due to rust.

Mr. Mellor said that he is still working on renewing his CDL license which he had let expire prior to taking this position; however, he expects to have the CDL license completed within the next month as the CDL Program is going through some changes which will be taking place half-way through June. A CDL instructor who happened to be in attendance informed the Board that overall the state requirements are being brought more in line with federal requirements and that anyone currently holding a CDL license will be grandfathered in; however, after that, the CDL type will be more restrictive and vehicle specific depending on what type of vehicle the applicant uses for the test.

Mr. Jamie Harshman, Harshman CE Group, introduced himself as the Union Township appointed conflict engineer. The solicitor, Municipal Consulting Services, and Mr. DeiCas said that they have worked with Harshman in the past in other municipalities and on other projects and that they came highly recommended. Mr. Spahr explained that Mr. DeiCas has been appointed Township Engineer through KLH Engineering; however, since KLH Engineering developed Mr. Tomko's site plans, Harshman CE Group was brought on so that there would be no conflict of interest. Mr. Makel said that he would schedule a meeting prior to the Township Meeting with Tomko, Municipal Consulting Services, and the engineers. At the same time, Mr. Makel would also like to discuss Tuscany Estates as well as the issues involved in recovering the Township's documents held by Chester Engineers. He will contact the Board with the dates and times available.

In regard to the Overlook situation, if copies exist, Mr. DeiCas can reproduce what is needed. Mr. Makel also stated that agreements were prepared for both KLH Engineers and Harshman Engineers. Following the meeting, he suggested those agreements be executed. He requested a copy of the executed documents for his office file.

Motion to authorize the solicitor to take the appropriate action against Chester Engineers to recover Union Township documents.

Motion by Chuck Trax, Second by Paul Chasko

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-absent. Motion carried.

Mr. Grieb noted that a pre-application meeting has already taken place between Harshman Engineers and the engineers for Tomko. Also, Mr. Harshman visited Tomko to become familiar with the construction site. Mr. Harshman has informed the Board that multiple questions will need to be answered. Mr. Spahr also noted that Mr. Breinig was informed and

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receptive to the fact that he must recuse himself at the Planning Commission Meeting. Mr. Breinig can participate fully as any other member of the public, but not in any official capacity. The Planning Commission Meeting will be the 4th Thursday of May which will be the 28th at 7:30 p.m.

Motion to approve general fund bills in the sum of \$30,805.27, as of May 11, 2015, as presented by the Treasurer, subject to being true and correct.

Motion by Chuck Trax, Second by Paul Chasko

Roll call vote: Parish-yes, abstaining from anything having to do with Finleyville Airport, Spahr-yes, Trax-yes, Chasko-yes, Frye-absent. Motion carried.

The Finleyville Airport Tree Hazard Removal Project was discussed. Mr. Chasko reported that all the trees in violation on property adjacent to the airport have been cut down except for those on the property of Mr. Brizzi. Mr. Makel will give Municipal Consulting Services the information needed tomorrow to cite Mr. Brizzi for the tree hazards.

Also, per the contract, the contractor must provide additional clean up in the area where trees were removed such as filling and seeding of ruts, as well as repair of a fence that was damaged. Mr. Makel suggested that a punch list be sent to the contractor for those items included in the RFP which remain incomplete requiring those items to be finished satisfactorily before final payment is issued.

Ms. Fincham said she would like the trees removed which was not part of the contract. Mr. Chasko requested that Mr. Makel dictate a letter to Ms. Fincham requesting the Township have the right to remove the downed trees from the property. At a meeting in the past, the son of Ms. Fincham, wanted to keep the trees to be sold as firewood. Mr. Chasko also asked Mr. Makel to confirm that Ms. Fincham has not transferred ownership of the property to her son and is still the current owner.

Another issue is that the original plan was to have the road crew cover over the stumps with soil and seed; however, the stumps are way too high to be covered over with dirt. Mr. Chasko requested two estimates from Sidelines Tree Services for this additional work. The first estimate includes grinding the stumps and mounding the resulting chips up over the hole with the property owner being responsible for handling the pile of chips in any way they choose. This estimate was in the sum of \$2750. The second estimate includes grinding the stumps and filling the hole up with soil and seeding it. Estimate two was in the sum of \$5050. Mr. Mellor was asked to provide an estimate of costs to handle the approximately 40 stumps. He will provide an estimate to have the road crew grind the stumps, add top soil, and seed. Mr. Mellor estimated rental of a stump grinder at \$1700.

A separate issue involves a misinterpretation by the contractor on the removal of trees on the Karas property. On the Brizzi property, the downed trees were to stay on site. On the Karas property, the downed trees were to be removed. The contractor interpreted the Karas property trees as Brizzi property trees in terms of tree removal. Mr. Chasko requested that Mr. Makel look at the RFP and provide his opinion on the misinterpretation.

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Mr. Chasko commented that he did spend a lot of time at the site while the cutting was taking place. He also has contacted John Logan of PennDot Aviation Bureau to see if an interim measurement can be done to ensure that no new trees are obstructing the air space which were not previously identified.

In regard to the permitting issue involving the gas well on Parish property that was discussed at the last meeting, Mr. Makel reported that he sees no further liability to the Township regarding the well-head. Mr. Makel will be issuing some correspondence on this matter in the next day or so.

Motion to rescind any type of Agreement with Chester Engineers effective April 27, 2015
 Motion by Steve Parish, Second by Paul Chasko
 Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-absent. Motion carried.

Mr. DeiCas spoke with Mr. Mellor about the road slides and he will go out and look at them and make a proposal to the Board. Some of the material sliding contains concrete block and wood. On Friday, Mr. Parish, Mr. Mellor and the engineer will review the area.

The Sunoco Road Bond extension was discussed. Mr. DeiCas was requested to re-video Patterson Road. Also, he was requested to renew the conversation with the Tomko Supervisor he has spoken to in the past regarding the work that was supposed to be done along the Snee property per a prior agreement. Mr. Parish asked Mr. DeiCas to inquire, when this conversation takes place, whether concrete block could be used as opposed to gabion baskets because he has noticed that the company has been hauling concrete block and may have it readily available.

Motion to approve Sunoco's Road Bond Agreement Extension for Patterson Road dependent on the Township Engineer completing a video inspection of Patterson Road also known as Township Road T-992, per the Agreement's expiration date of January 21, 2016.
 Motion by Steve Parish, Second by Paul Chasko
 Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-absent. Motion carried.

Mr. Spahr discussed the fact that gas exploration companies that have Marcellus well sites have been using these locations to drill into the Utica Shale which has proven to be extremely successful.

The codification can go on the June production schedule dependent on the Board's readiness to proceed. Mr. Makel suggested that we verify that the Flood Plain Ordinance is up to date due to issues he heard discussed during a recent webinar relative to the new FIRM Rate Maps. One question still outstanding was when in the approval of the codification the Board desired to have the e-code posted. The decision was that the e-code will be posted prior to approval so that it would be available to the public for the public comment period which will be required.

The Spring Road Report prepared by Mr. Parish was discussed. There was a question as to the best way to surface McChain Road. Mr. Parish and Mr. DeiCas will prepare a recommendation for the Township's 2015 Road Paving Project for the next meeting. Mr.

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Spahr requested that all anticipated work be included in the project so that no additions to the project will be necessary after it is approved by Rick Skovensky, PennDot Representative, who reviews the project as it relates to the Township's use of Liquid Fuels funds. Mr. Mellor, Mr. Parish and Mr. DeiCas will meet on Friday to review the slides and road issues.

The track on the garage addition door is bent and does not close all the way. This door needs to be replaced or repaired before Jefferson Hills can occupy the space.

Mr. Makel requested that the Board look at the most recent Township Magazine published by PSATS in regard to an article on storm water drains off state highways. He said that it appears PennDot has changed their position on drainage coming off state highways.

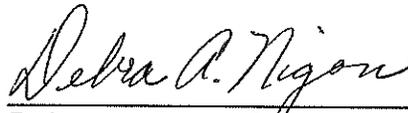
Since the next meeting would fall on Memorial Day, the meeting will be rescheduled until Tuesday, May 26th. The secretary was instructed to post the change of schedule on the door to the building.

There was no Executive Session.

Motion to adjourn at 8:47 p.m.

Motion by Steve Parish, Second by Chuck Trax

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-absent. Motion carried.


Debra A. Nigon, Secretary