

Board Approved: June 26, 2017 with revision as shown.

Union Township Board of Supervisors
Regular Board Meeting
May 22, 2017

The Board of Supervisors Meeting was called to order by Chairperson Deborah Sargent at @ 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, Debra Nigon—Secretary,

Public Comment

Mr. Vibostak, 7 Lake Drive, requested to be on the next agenda.

Terri DeWitt, 6049 Route 88, wanted updated in regard to the Jason/Jack bridge project which was to begin in the spring. Mr. Chasko informed her that it will be started on soon.

Pete Guido, Tuscany Estates Homeowners Association expressed concern about the bond which will be expiring on June 28.

Due to technical difficulties with the printer, the minutes were not printed for the Board for the meeting; however, they did indicate they may want to make some revisions. The secretary suggested they send their revisions to be incorporated and the minutes could be approved at the following meeting.

Motion to approve Payroll #9 dated May 5, 2017, in the sum of \$12,132.78 as presented by the Treasurer, subject to being true and correct.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to approve Payroll #10 dated May 19, 2017, in the sum of \$10,437.38 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.

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Motion to require the Treasurer to present and list all fund bills for approval including general fund and Elrama sewerage bills, and any other bills.

Motion by Deborah Sargent, Second by Heather Daerr

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

Motion to approve General Fund Bills in the sum of \$25,693.07, as of May 22, 2017, as presented by the Treasurer, subject to being true and correct.

Motion by Heather Daerr, Second by Deborah Sargent

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

Mr. Spahr had some questions regarding the bills which the secretary informed him could only be answered by the Treasurer who does not attend the legislative meetings. Mr. Spahr thought that the Treasurer and Engineer should be at each meeting to provide information as necessary. He also mentioned that he would have liked the engineer to be in attendance also to discuss the letter that Mr. Tomko wrote to Representative Saccone, copying the Commissioners, the Board of Supervisors, and the DEP. Mr. Spahr mentioned that it cost only \$3000 for the whole year last year for the both the secretary and treasurer to attend meetings which he thought was money well spent to have Ms. Taylor there to answer questions. Mr. Breinig, from the audience, suggested having Ms. Taylor come in later in the day so that the meeting hours would not be considered overtime. Ms. Daerr and Ms. Sargent informed him that the secretary was already arriving later on meeting nights and that this would leave no coverage during regular business hours. Mr. Breinig said it had been done in the past. Ms. Daerr thought that it was not worth paying the extra money when the questions for the treasurer could be asked at a later time. She said that, even though it cost only \$3,000 dollars last year, it was more than that in previous years.

Mr. Spahr had questions on the Elrama sewerage costs which were held for approval until the next meeting. There were also some questions about the contract being presented for approval for the Phase II Environmental Assessment contract for the environmental engineer who was awarded the bid at the last meeting. Mr. Sweat suggested that Ms. Taylor supply a cost estimate for the grant prior to the approval of the environmental engineer contract. The secretary was asked to have Ms. Taylor provide a breakdown of costs as to what the Township may need to pay relative to the ISRP grant.

Motion to hold approval of the Elrama Sewerage Expenses in abeyance until the next meeting.

Motion by Heather Daerr, Second by Deborah Sargent

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

The bids were opened for gas and diesel. The bidders were Augustine Fuels and Coen Zappi. Both supplied a bid bond of 10%. Both used the supplied Penn Dot bid forms. The Coen Zappi bid was discussed.

Motion to award the bid for unleaded gasoline to Augustine Fuels, as the bidder with the lowest differential with a bid amount of 1.5925 per gallon with a 12 cent OPIS differential at a

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per unit price 1.7125 and to award the bid for diesel to Coen Zappi at a 10 cent OPIS differential at a per unit price of 1.7152, which includes the 10 cent differential.

Motion by Deborah Sargent, Second by Heather Daerr

There was no roll call as the bids were discussed further and there was uncertainty in terms of whether the differential was being interpreted correctly. Ms. Sargent rescinded her motion.

Mr. Spahr had a question as to whether the Township benefits when the price decreases. The secretary was asked to verify the information on the bids so that the Board would be certain of the figures.

It was also discussed that, since neither quantity goes over the bid threshold, that phone quotes could be obtained for gas or diesel separately each time as a new order was needed. It was discussed that a study could be done over the course of the year to see what price could have been received if phone quotes were requested. In either case, it was determined that further clarification is needed.

Motion to table the bids until further clarification can be made relative to whether the differential works both ways and we receive a benefit when the price goes down.

Motion by Deborah Sargent, Second by Heather Daerr

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

Appointment of a Zoning Officer was discussed.

Ms. Sargent thought that the firm recommended by Mike Silvestri, Building Inspection Underwriters (BIU), was a better fit for a larger Township but would be happy with either BIU or Harshman CE Group. Mr. Trax favored Harshman CE Group, Mr. Chasko said he would be comfortable with a year trial of Harshman CE Group

clan **Motion** to appoint Harshman CE Group for one year as Building Code Official and provider of inspection services for the Township ~~provided they utilize other building inspectors than the Board's previous inspectors, Municipal Consulting Services.~~

Motion by Charles Trax, Second by Deborah Sargent

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

The fee schedule modifications were put on hold until next week until all revisions, those submitted by Harold Ivery on behalf of the Planning Commission, those discussed between the Treasurer and Jarod D'Amico, and those submitted in the zoning proposal were consolidated into one document for review and approval.

The desired Union Township office schedule for the zoning officer and code enforcement officer as well as a decision on the approach as to whether the code enforcement officer will be responding to complaints or actively pursuing violations was put on hold until the agenda meeting so that input from the code enforcement officer could be obtained. The secretary said that multiple individuals were requesting the office hours. Also, she had not heard the board respond to Mr. D'Amico when he presented the various approaches to code enforcement which could be used.

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It was discussed that the secretary had run into various issues when following the hiring procedure in the newly adopted employee manual when she went to advertise the open position(s) on the road crew. She also questioned whether she could post the job descriptions which had been supplied by Mr. Silvestri if they had not been adopted by resolution. She also noted that there was a requirement for CDL air brake certification in the job descriptions which had not been required in the past. Also, there were two separate descriptions supplied by Mr. Silvestri: one for a laborer, one for equipment operator. The secretary questioned which was appropriate and noted that there were pay scale differences between the two positions per the Teamsters contract. Also, in the hiring procedure, it was a requirement that the number of positions open be advertised which had not yet been determined. The hiring procedure also required that the method for selecting the candidate and the tests to be administered be determined prior to advertising and this had not yet been discussed. It was decided to proceed with advertising as the Township has done in the past. It was also determined to use the old 2011 job description.

Motion for the secretary to proceed with the hiring process as she has done in the past for advertising the road crew position as opposed to advertising in accordance with the hiring procedure in the currently adopted employee manual.

Motion by Deborah Sargent, Second by Heather Daerr

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

Mr. Sweat informed the Board that he had his last and final session with Mr. Winters of Teamsters 105. The union is agreeable that a part-time position can be added for the summer or winter as long as we are short on staff. If we are not short, then a part-timer cannot be hired.

Motion to authorize the solicitor to write a resolution adopting the Township Manager job description.

Motion by Deborah Sargent, Second by Heather Daerr

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

The solicitor informed the Board that the Corace easement agreement has not yet been signed and that they appear to be at a stalemate. Mr. Sweat said that he has made it clear that the Township will not provide and place fill. He informed the Board that, in an emergency situation, the Township has the right to go onto private property to stabilize the road.

There was an agenda item for getting the lawn service company which was approved at the last meeting started and determining a schedule / contact person. Chuck Trax will speak to Kenny's Lawncare about beginning work. Mr. Trax said that when he talked to the owner, he had requested that there be one person to report to at the Township. Mr. Trax will discuss the needs with Tom Mellor and establish a schedule or procedure the contractor will follow in relationship to the work which will be invoiced.

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Motion to advertise for part-time college laborers for the summer.
Motion by Deborah Sargent, Second by Heather Daerr
Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to appoint Josh Werner to the Recreation Board for a three-year term running, retroactively, from January 1, 2017 to January 1, 2020, in accordance with all members having staggered terms, subject to passing all clearances.
Motion by Deborah Sargent, Second by Heather Daerr
Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

The Board will look at the purchasing manual amendment written by Paul Chasko.

Motion to approve the Resolution 11-2017 for the Sewage Planning Module for the Hufnagel Subdivision
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 mentioned that fees were not paid. The responsible party for the Hufnagel Subdivision was in the audience and explained that she hadn't understood that fees were outstanding. She offered to pay what was owed.

The Walsh Detour developer's agreement was held until the next meeting for review since the Board just received it this afternoon.

The FITS program was on the agenda per last week's meeting. Chuck Trax will look at the FITS program information and report back to the Board with his thoughts and comments.

In terms of the agenda item on a split of fees with Ringgold School District for tax assessment hearings, the solicitor drew the Board's attention to an invoice from Mr. Berrgren.

Motion to authorize payment to Ringgold School District in the sum of \$1,075.00 for Walter Long and Bartolotta legal fee split with Ringgold School District for attendance at tax appraisal assessment hearings.
Motion by Charles Trax, Second by Deborah Sargent
Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

There was an agenda item for cleaning of the park by the Soccer Association since the newly signed lease says that the Soccer Association is responsible for cleaning. Ms. Sargent said she spoke with the Soccer Association who is content to continue with cleaning the way it was handled in the past with the Township paying the janitor and then being reimbursed by the Soccer Association.

Ms. Sargent said she wanted to re-visit payment for the damaged soccer nets.

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Motion to reimburse the Soccer Association for their damaged nets in the sum of \$165.95.
Motion by Deborah Sargent, Second by Heather Daerr
Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to hold in abeyance the decision on changing banking for Elrama Sewerage until more information can be obtained from the Treasurer.

Motion to approve a fireworks display by Finleyville VFD at Ringgold School on subject to proof of insurance being supplied.
Motion by Heather Daerr, Second by Paul Chasko
Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Ms. Sargent sent out a sample newsletter to the Board that she said that she would like to send out by email and in print to all members of the Township due to what she described as misinformation that has been spreading regarding taxes being increased. It would be a one page newsletter that could be folded and mailed. She would like to send it physically to each house if the board is agreeable. She also suggested that a task force be created for the newsletter which will be sent out on a regular basis. Deborah Sargent, Paul Chasko, Heather Daerr, and Ms. Nigon for editing only, will serve on the task force.

Motion to create a task force to start a Union Township newsletter.
Motion by Heather Daerr, Second by Charles Trax
Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Mr. Sweat discussed that our millage may need to be adjusted due to the fact that the count was well off on some commercial appraisals where he noted there was as much as a million dollar spread between the Washington County appraisal and owner's appraisal. On January 1, the County Assessor supplied the Township an assessed value which the Township had to use to set its millage, not to go over 10% of that number. Since the property owners have won some of these re-assessment cases, the Township may owe a refund to these tax payers. He said this is happening everywhere. Since Ringgold School District is pushing to have the tax appeals resolved by July, we may have a good idea soon as to how this will affect the Township's tax revenue and what type of increase may be needed.

At a prior meeting, the WESA Agreement was approved; however, the secretary was not sure if she had the final agreement with all changes and requested that the solicitor provide the final copy for Ms. Sargent's signature. Mr. Sweat informed the Board that the revisions the Township requested are difficult to incorporate since the agreement has already been signed by another party. The WESA solicitor explained to him that obtaining that signature took some time and they are hesitant to begin the process anew. The Township may be provided with another document to sign separately that would incorporate the changes which included the service map and a daily flow volume change from 0.09 to 0.014.

In terms of the Teamsters contract agreement, Mr. Sweat said that the Teamsters agreed to changes pertaining to vacation, and to add to the wage section that the health care plan could be changed as long as it is equal coverage. Also approved was the ability to hire part-time

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seasonal workers as long as the Township is low on staff. Not approved was the additional management wording Mr. Sweat desired to include.

Public Comment

Hal Breinig, 44 Finley Road, commented about the primary election. He said he overheard the constable making comments to a voter about the female candidates. He said he thought it was wrong for the constable to make comments.

Larry Spahr commented on a letter which Tomko sent to Representative Saccone, copying the County Commissioners, Senator Camera Bartolotta, and Secretary Patrick McDonnell relative to the DEP compliance issues and issues with Township permits. There were complaints in the letter that had to do with lost revenue, overstepping by the DEP, employees that had to be laid off, and being hampered in his ability to fulfill orders for his products, expand and hire workers and develop his business. Per that letter, Mr. Spahr said the wall is not out of compliance and had to be adjusted and corrected to make it more safe, which included placing a fence. He said that he wanted to discuss the issue with the engineer to determine whether the facts in the letter are true or what was said at the last meeting two weeks ago.

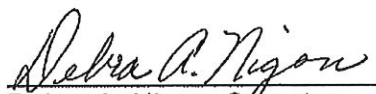
Mr. LaTorre said that the grading ordinance requires you to maintain a retaining wall. Mr. LaTorre said that the Tomko retaining wall is deteriorated. Mr. LaTorre also commented that Tomko has been waiting on an NPDES permit since November. Also Mr. LaTorre and Mr. Breinig commented that Tomko is currently working at the site and that the code enforcement officer has not stopped him. Mr. Breinig also commented that he is angry because the Big Box Ordinance which was adopted only allows commercial business to have a building as large as the one that Tomko is building. They said that, since Tomko is the only large commercial business, this allows only Tomko to have a big building.

Frank LaTorre commented that he also heard comments from the constable when he was at the voting site for the primary. He said that he heard him say that fire insurance will go up due to the actions of some of the candidates.

Motion to go to executive session at 9:47 p.m.
Motion by Deborah Sargent, Second by Charles Trax
Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

The Board returned from executive session at 10:10 p.m. The Board said they discussed personnel.

Motion to adjourn at 10:10 pm.
Motion by Heather Daerr, Second by Charles Trax
Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.


Debra A. Nigon, Secretary

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