

**Union Township Board of Supervisors
Legislative Meeting
May 23, 2018
6:30 pm**

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 7:06 pm. The pledge of allegiance was recited.

Board members in attendance by roll call were Richard Lawson, Charles Trax, Deborah Sargent, and Heather Daerr. Paul Chaska was absent.

Also in attendance, Robert Balogh-Manager/Asst. Treasurer, Gary Sweat-Solicitor, Andrew Sweat-Attorney, Nicole Dooley-Secretary, James Harshman-Engineer, and Jarrod D'Amico-Zoning/Code Enforcement Officer.

Public Comment on Agenda Items:

Frank Latorre: 7 Boyka Drive, Finleyville. Mr. Latorre made a public announcement regarding Crossroads Ministries & Elrama VFC car cruises. Mr. Latorre expressed his opinion regarding the Tomko Grading permit. Mr. Latorre expressed his opinion regarding nuisance issues related to Tomko worksite.

Morrow Orsatti: Rankintown Road, Finleyville. Mr. Orsatti expressed his concerns regarding an over grown lot on Rankintown Road. Mr. Orsatti expressed his concerns regarding standing storm water runoff on Rankintown Road. Mr. Orsatti expressed his concerns regarding speeding cars on Rankintown Road. Mr. Orsatti expressed his concerns regarding quads driving on Rankintown Road.

Motion to approve minutes for April 25, 2018 Legislative Meeting.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve minutes for May 9, 2018 Non-Legislative Meeting.

Motion by Deborah Sargent, Second by Richard Lawson

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

Motion to approve payroll #9 dated May 4, 2018 in the amount of \$15,272.92 as presented by the Manager subject to being true and correct.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve special payroll #1 dated May 7, 2018 in the amount of \$6,675.99 as presented by the Manager subject to being true and correct.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve payroll #10 dated May 18, 2018 in the amount of \$14,141.32 as presented by the Manager subject to being true and correct.

Motion by Heather Daerr, Second by Richard Lawson

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

Solicitor, Gary Sweat reported, Judge Emery signed the order eliminating phases VI and VII of the Tuscany Estates subdivision. He noted the order was dated May 1, 2018 and filed May 11, 2018. The order was also counter filed in the Recorder of Deeds office. Mr. Sweat stated if anyone would do a title search, they will see those lots and tax parcel numbers have been eliminated and taken back to vacant parcels for each phase. Moving on, Mr. Sweat noted an ordinance had been prepared for the Board of Supervisors if they so choose to move forward with the abandonment of the portion of road know as Old Route 88. Next, Solicitor Sweat reported work with Manager, Robert Balogh is in progress for multiple resolutions to support the grant applications that are being prepared by Mr. Cleveland. Next, Mr. Sweat noted he has prepared two ordinances for the Board of Supervisors concerning the abolishment of the Union Township Planning

Commission. Mr. Sweat stated under the Municipalities Planning Code a Township can have a Planning Commission, Planning Agency or a Planning Committee. Mr. Sweat discussed both ordinances with the Board of Supervisors in depth. Mr. Sweat made the recommendation to the Board of Supervisors to create a Planning Department. He stated the Township Manager would be the Planning Director. Lastly, Mr. Sweat stated he had prepared an ordinance for the joint storm water district. Attorney, Andrew Sweat reported that Sweat Law Offices have been contacted by the Attorney for the Diliscia's. The call was about the condemnation of the Diliscia's property and just compensation. He reported it had been sixty days since the filing. Solicitor Sweat asked Engineer, James Harshman for his recommendation. Mr. Harshman stated his recommendation would be something along the lines of the compensation made to Consol Energy that was paid for their easement. Solicitor Sweat asked the Board for authorization to respond to the Diliscia Attorney with a monetary offer for the portion of property that was taken by eminent domain.

Motion to allow Mr. Sweat to negotiate with Mr. Diliscia's Attorney an amount of \$500.00 as just compensation for the condemnation proceedings on his property.

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 a lot of the items contained in his report were agenda items. He noted he would speak as those agenda items were reviewed. Moving forward he discussed the inspection of adjacent storm water ponds. He asked the Board of Supervisors for their direction. Next, Mr. Harshman reported on the response to the comments Engineering had on the Airport Runway Reconstruction Grading Permit. He stated a lot of the needed information had been received. Mr. Harshman stated he finished and sent the comment letter to Widmeier Engineering. Mr. Harshman stated he would however, like to discuss the point of drainage. He noted the Airport is not installing any inlets or type of collection piping system. He stated the FAA is requiring them to install certain stabilization efforts for the new runway. He stated that involves some under drains. Mr. Harshman stated those under drains discharge at six different locations along the runway. The calculations provided by the Airport Engineer show that there will be .01 cubic feet per second discharging at each of those locations. Mr. Harshman stated that amount of water is very negligible and would be soaked into the ground before it ever leaves the Airport property. Mr. Harshman is waiting on a few third-party items before the Airport Grading permit is issued. Next, Mr. Harshman reported application has been made for a Dirt Gravel Low Volume Road Grant for Gilmore Road and the project is under review. Moving forward discussion amongst the Board, Engineer and Manager discussed the next steps regarding storm water pond management.

Manager, Robert Balogh reported since last meeting there has been many hours of discussion and research of the Planning Commission, Stormwater Management Group and Grants. He noted there are multiple grants in play at the current moment. Mr. Balogh updated the Board of Supervisors on the MHI Grant Group. He reported the group has decided to name the Washington County Water Shed Alliance as eligible to participate in the Stormwater management group. Next, Mr. Balogh reported the necessary letters for the GTR Grant application process had been received from Mr. Cleveland. He stated he will execute those documents. Lastly, Mr. Balogh reserved the right to speak about agenda items as they were discussed.

UNFINISHED BUSINESS

Agenda items under unfinished business included the following:

- A. Approve/Deny Finleyville Boroughs Request for Payment of the Finleyville VFD Workers Compensation Policy in the Amount of \$13,113.00. (- 5% Safety Committee Discount \$12,457.35)
- B. Approve/Deny Purchase of 2 Steel Road Plates from Water Long Manufacturing Company in the Amount of \$2,540.00.
- C. Approve/Deny Manager & Engineer Recommendation for Railroad Street.
- D. Approve/Deny Missing Minutes Motion & Resolution 2018-7.
- E. Approve/Deny Pryotechnic Fireworks to Launch Fireworks Display at the Finleyville VFD. Carnival on Friday, July 27, 2018.
- F. Approve/Deny Manager to Apply for Citi Bank Credit Card with a \$5,000.00 Credit Limit.
- G. Approve/Deny Executing on Municipal Lien Filed Against 48 Davidson Avenue.
- H. Approve/Deny Township Maintenance of Storm Water Pipe at 2 Ramage Avenue, Elrama.
- I. Approve/Deny Acting Road Superintendent Advertising Bid for Replacement of Nike Site Garage Roof.
- J. Approve/Deny Resolution 2018-8 Appointing Rich Cleveland to Apply and Manager, Robert Balogh to Execute Documents for the GTR Grant.

- K. Approve/Deny 15% Match Contribution for the GTR Grant in the Approximate Amount of \$34,861.91 to be Paid from the General Fund Cultural and Recreation Account.
- L. Approve/Deny GTR Grant Application Fee of \$100.00.
- M. Approve/Deny Intergovernmental Cooperation Agreement (ICA) and Ordinance 2018-2 Regarding Stormwater Management Program with North Strabane, Nottingham, Chartiers and Other Entities as agreed Upon at a Later Date.
- N. Approve/Deny Ridge Avenue Culvert Replacement Next Steps.
- O. Approve/Deny Union Twp. News Update for Publication in South Hills Messenger.
- P. Approve/Deny the Dissolution of the Union Township Planning Commission and Replacement with Alternate Planning Agency. (Planning Department or Planning Committee)
- Q. Approve/Deny Tomko Grading Permit.

Motion to table Finleyville Boroughs request for payment of the Finleyville VFD workers compensation policy.

Motion by Heather Daerr, Second by Charles Trax

Roll Call Vote: Richard Lawson-YES, Charles Trax-YES, Deborah Sargent-NO, Heather Daerr-YES. **Motion Carried.**

Motion to approve the purchase of two steel road plates from Walter Long Manufacturing Company in the amount of \$2,540.00.

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.**

Agenda Item B. Lengthy detailed discussions amongst the Board of Supervisors, Manager, Engineer, Solicitor, and residents from Railroad Street regarding the stabilization and remediation of the roadway. Engineer, James Harshman stated it would be his recommendation for the Manager, Robert Balogh to send the letter to CSX to initiate conversations for a remedy to the current situation. Resident, Tracy Badoll asked the Board of Supervisors if someone could contact Waste Management and have them send a smaller truck for trash removal on Railroad Street.

Motion to approve Manager and Engineer to make contact with CXS Railroad for an initial investigatory meeting on Railroad Street to not exceed \$2,000.00.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve missing minutes motion. The Township Manager has advised the Board of Supervisors that the Minutes of Supervisors Meetings from May 2016 to September 2017 have not been inserted into the Township Minute Book. This failure was the result of a former Township Secretary, no longer with the Township, who neglected to complete these duties. The Township Manager has located drafts of the proposed Minutes which have been reviewed by the current Supervisors who were Members of the Board of Supervisors in 2016 and 2017. However, the current Board is unable to certify the accuracy of the Minutes based upon the time that has elapsed. The Second-Class Township Code requires that every Township in the Commonwealth of Pennsylvania, maintain a Minute Book of all Public Meetings held by the Governing Body. In order to comply with this requirement, I move that the draft Minutes produced by the Township Manager be inserted into the Township Minute Book for the months in question and that the Secretary indicate on the recorded Minutes that the Supervisors are not certifying the accuracy of these Minutes. I further move that the action of the Board be confirmed in a Resolution and that the Minutes in question refer to the Resolution adopted to indicate the position of the Board.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve resolution 2018-7. Concerning the minutes of the meetings of the Board of Supervisors from May 2016 thru September 2017 that are missing from the Township minute book.

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 approve Pyrotechnics Fireworks to Launch Fireworks display at the Finleyville VFD carnival on Friday, July 27, 2018.

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 approve Manager, Robert Balogh to apply for Citi Bank credit card with a \$5,000.00 credit limit.

Motion by Deborah Sargent, Second by Richard Lawson

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

Motion to approve execution on Municipal Lien filed against 48 Davidson Avenue.

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 deny Township maintenance of storm water pipe at 2 Ramage Avenue, Elrama

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve Acting Road Superintendent to advertise for bids for the replacement of Nike Site garage roof.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve Resolution 2018-8 appointing Rich Cleveland to apply and Manager, Robert Balogh to execute documents for the GTR Grant.

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 approve 15% match contribution for the GTR Grant in the approximate amount of \$34,861.91 to be paid from the General Fund Cultural and Recreation account.

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 approve GTR Grant application fee of \$100.00

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve Intergovernmental Cooperation Agreement (ICA) and Ordinance 2018-2 regarding Stormwater Management program with North Strabane, Nottingham, Charlton and other entities as agreed upon at a later date and the advertisement of the ordinance.

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 approve Engineer, James Harshman to apply for a general permit with the DEP for the repair of the Ridge Avenue culvert.

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 approve Union Township news update for publication in South Hills Messenger.

Motion by Heather Daerr, Second by Richard Lawson

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

Agenda item Q. Discussions amongst the Board of Supervisors, Solicitor and Manager ensued.

Motion to approve the dissolution of the Union Township Planning Commission and replace with alternate Planning Department and Planning Director and to advertise the ordinance.

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 amend certain conditions attached to the Grading Permit approved by the Board of Supervisors of Union Township at the April 4, 2018 Special Meeting.

1. The Grading Permit is to be issued to W.G. Tomko Inc., the property owner.
2. The effective date of the Grading Permit for appeal purposes shall be April 16, 2018.
3. The Grading Permit shall be valid for a period of one year as provided in the Townships Grading Permit Ordinance. W.G. Tomko by accepting the Grading Permit with conditions is not waving its right to request an extension or to apply for a new Grading Permit after the expiration of the Permit being issued.
4. The Grading Permit will not become effective until all past due escrow amounts are satisfied. In the future copies of all invoices will be provided to Tomko for their review before any amounts are taken from the escrow account.

In all other respects the conditions set forth in the motion dated April 4, 2018 approving the Grading Permit are hereby ratified and confirmed by subject to the changes made in this amended motion.

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.

NEW BUSINESS:

Agenda items under new business included the following.

- A. Consider Potential Community Day Ideas.
- B. Discuss New Rules for Veterans Memorial Park Hours.
- C. Alter Richard Lawsons Term of Appointment to PCSA from January 2018 thru January 2023.
- D. Discuss Washington County FITS Program Spring Clean-up/ Painting.
- E. Any Additional Items.

Motion to approve the Parks and Recreation Department to plan a Community Day and potentially for the solicitation of donations.

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 approve Veterans Memorial park hours to be from dusk to dawn.

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 alter Richard Lawsons term of appointment to the Peters Creek Sanitary Authority from January 2018 thru January 2023.

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 approve Washington County Fits Program to clean-up the park.

Motion by Deborah Sargent, Second by Heather Daerr

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

Engineer James Harshman reviewed the sealed bids received for the 2018 Paving & Drainage projects. Mr. Harshman's recommendation to the Board of Supervisors was to award the contract to A. Folino for the base bid of the 2018 Paving Project. Mr. Harshman also recommended to reject the one bid received for the Drainage project. He noted the bid came in much higher than the cost estimate. Mr. Harshman would like to rebid for more favorable pricing.

Motion to approve A. Folino for \$190,499.86 for the base bid of the 2018 Paving project conditioned upon the Engineers review of the required contract documents from the contractor.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to reject and rebid the 2018 Drainage Improvement project.

Motion by Deborah Sargent, Second by Richard Lawson

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

Motion to approve Kehm Oil Company 2018 fuel bid based on documents with the total bid price of \$34,242.50.

Motion by Richard Lawson, Second by Heather Daerr

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

Manager, Robert Balogh presented the Board of Supervisors with a diagram of a sewerage complaint he received at Meadow & Washington Avenue. Mr. Balogh noted this complaint has been ongoing since the winter months. He reminded the Board of Supervisors of investigations regarding this complaint in February, that were completed by himself and Matt Malik from Harshman CE Group. Mr. Balogh stated himself and Mr. Malik dye tested all the properties on Meadow Avenue. He reported all those properties passed. Mr. Balogh noted recent discussions with Mr. Kovach from Peters Creek Sanitary Authority concluded the use of a camera to investigate the pipes. Mr. Lawson agreed there seems to be sewerage coming out of the pipe. It was Mr. Trax opinion there could be a possibility that one of the houses on the street have a septic tank tied into the storm sewer line. Mr. Balogh noted it was the recommendation of Mr. Kovach to work with the Township and hire a plumber to perform an inspection. Mr. Balogh stated Mr. Kovach would like to make a good faith effort with Union Township to remediate this complaint. The conclusion of the Board of Supervisors was to have the Manager continue to work with Mr. Kovach and perform the further investigations to determine if this is a Township problem or if it is the responsibility of Peters Creek Sanitary Authority.

Motion to approve expenditures for the month of April 2018 in the amount of \$115,769.87 as presented by the Manager and Secretary/Treasurer subject to being true and correct.

Motion by Heather Daerr, Second by Richard Lawson

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

Public Comment:

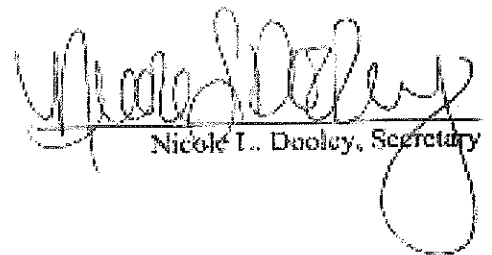
Pete Guido: Tuscany Estates, Finleyville. Mr. Guido asked if the Engineer can review the roads at Tuscany Estates so the Township can take them over.

Millicent Powell: (No Address Given) Ms. Powell expressed her concerns regarding the restroom facilities of the Union Township Municipal Building.

Motion to adjourn at 10:05 pm.

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