

**Union Township Board of Supervisors
Legislative Meeting
July 25, 2018
6:30 pm**

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 6:40 pm.

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

Also, in attendance Gary Sweat-Solicitor, Michael Crumy-Attorney, Nicole Dooley-Secretary/Treasurer, Peter Overcashier-Acting Road Superintendent, James Harshman-Engineer, and Jarrod D'Amico-Zoning/Code Enforcement Officer.

Public Comment on Agenda Items:

Ron Pristas: 3910 Finleyville-Elrama Road, Finleyville PA. Mr. Pristas expressed his concerns regarding EQT using the Nike Site as a truck staging area. Mr. Pristas expressed his concerns regarding the additional truck traffic on Finleyville-Elrama Road. Mr. Pristas expressed his concerns regarding nuisance and noise issues on Finleyville-Elrama Road.

Frank Latorre: 7 Boyka Drive, Finleyville PA. Mr. Latorre expressed his concerns and opinion regarding a recent accident on Route 88 and Boyka Drive. Mr. Latorre expressed his concerns and opinion regarding Mr. Tumko working on Saturdays.

Motion to approve minutes for June 27, 2018 Legislative Meeting.

Motion by Heather Daerr, Second by Richard Lawson

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

Supervisor, Heather Daerr publicly rescinded a statement at the end of the July 11, 2018 Non-Legislative meeting stating Manager, Robert Balogh left on a leave of absence. Mrs. Daerr stated she was again rescinding that statement and for the record would like to note Mr. Balogh left and walked out during an executive session.

Motion to approve payroll #13 dated June 29, 2018 in the amount of \$15,684.27 presented by the Secretary/Treasurer subject to being true and correct.

Motion by Deborah Sargent, Second by Heather Daerr

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

Motion to approve payroll #14 dated July 13, 2018 in the amount of \$12,259.83 presented by the Secretary/Treasurer subject to being true and correct.

Motion by Heather Daerr, Second by Richard Lawson

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

Solicitor, Gary Sweat first updated the Board of Supervisors on a recent letter he had received from the attorney for the DiLiscia's regarding the Declaration of Taking on property located on Coal Bluff Road. The DiLiscia's attorney counter offered Mr. Sweats original offer. The DiLiscia's are asking for

\$2,000.00 for the condemnation of their property. Next, Mr. Sweat informed the Board of Supervisors he has had conversation with Solicitor, Tim Bergran for the Ringgold School District. Mr. Sweat noted the Solicitor for the Ringgold School District is interested in talks regarding a tax abatement, LURTA program involving properties the Township would like to see developed. Mr. Sweat noted Solicitor Bergran believes the majority of the School Board would be open to discussions. Solicitor Bergran would like a general idea of the areas in Union Township that would be earmarked for development and a summary of how the program would work. Discussions regarding areas of development, a revenue allocation program, and act 537 plans ensued between the Board, Solicitor and Engineer.

Engineer, James Harshman noted he had a lot of updates for the Board. First, a Grading Permit Application has been received for the Caton Well site. It is under review. Mr. Harshman reported to Mr. Lawson the application does include Geotech information that he was looking for. Also, EQT is in the process of working on the preliminary upgrade plans for Pleasant View and Coal Bluff. Next, Mr. Harshman reported he has given Solicitor Sweat everything that Harshman CE Group had on the bond information for Tuscany Estates. Moving forward, Mr. Harshman noted the 2018 paving project is complete except for a few punch list items related to restoration, drainage and paving issues. Next, Mr. Harshman reported the McChain emergency slide repair work is complete. Mr. Harshman noted to the Board the CSX Railroad Street issue is something that was in Rob Balogh's hands, that is something that needs to be looked at. Moving on Mr. Harshman noted a couple of the Engineers and Pete were reviewing the Gilmore project. There are a few minor changes they would like to make to the project. Mr. Harshman will be sending in an amended application in for the specific scope of work and for approval before the job goes out for bid. Next, a land development application has been received for the Giant Eagle alternate access route. They are in review and Mr. Harshman expects them to be before the Planning Department at their next meeting. Mr. Harshman reported on the topic of the bridge replacement project that has been postponed until the spring. Moving forward in his report Mr. Harshman noted he had spoken to Carrie Fox. He stated the remediated Elrama chrome shop site maybe highlighted and showcased at the state level. Lastly, Mr. Harshman stated he had invited representatives from Apex to the meeting to share some information.

Unfinished Business:

Agenda items under unfinished business included the following:

- A. Approve/Deny Transfer of Funds & Closing of PLGIT General Fund and Deposit Funds into the General Fund in Brentwood Bank.
- B. Approve/Deny Transfer of \$150,000.00 from PLGIT Local Share Gaming Account and Deposit into the General Fund in Brentwood Bank to Pay Portions of the 2018 Police Contract
- C. Approve/Deny IT Contract
- D. Approve/Deny E&O Insurance for Secretary/Treasurer Nicole Dooley.
- E. Approve/Deny Ordinance 2018-05 Amending the Township Code Zoning Definitions to Provide a Definition for Pharmacy and to Include Medical Marijuana Dispensaries Under the Pharmacy Category as Defined by the PA Medical Marijuana Act.
- F. Approve/Deny RFP for Ambulance Service for Union Township
- G. Approve/Deny Condemnation Process for 20 Lobbs Run Road Tax Parcel ID 640-006-00-00-0006-00.
- H. Approve/Deny Condemnation Process for 4042 Finleyville-Elrama Road, Tax Parcel ID 640-008-00-00-0079-02.
- I. Approve/Deny Engineer, James Harshman to Contact APEX to Get Free Estimates on All of Union Township Retention Ponds.

Supervisor, Heather Daerr moved agenda item I. to the top of the list. Ms. Daerr asked the representatives from Apex if at that time if they wished to speak. Representatives from Apex spoke to the audience and Board of Supervisors. They delivered a presentation regarding the safety, quality and integrity of the

Apex company. Discussion amongst the Board of Supervisors, Engineer, and members of the Apex company ensued regarding pond inspections and maintenance within the Township at length.

Motion to approve James Harshman to work with Apex on all of the Union Township retention ponds and start moving forward.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve the transfer of funds and closing of the PLGIT General Fund and deposit funds into the General Fund in Brentwood Bank.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve the transfer of \$150,000.00 from PLGIT Local Share Gaming account and deposit into the General Fund in Brentwood Bank to pay portions of the 2018 Police Contract.

Motion by Richard Lawson, Second by Deborah Sargent

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

Motion to approve Southnet Computers to gather all information off the hard drive on the former managers computer and give an overall assessment on all of the computers not to exceed \$500.00 for the initial service. Also, to propose anything else we need to go on a case by case basis for any additional work.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve up to \$1,000.00 IT Contract based on the recommendation of Southnet Computers.

Motion by Deborah Sargent, Second by Heather Daerr

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

Motion to approve \$50,000.00 E & O insurance policy for Secretary/Treasurer, Nicole Dooley

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to Ordinance 2018-05 amending the Township Code Zoning definitions to provide a definition for pharmacy and to include medical marijuana dispensaries under the pharmacy category as defined by the PA Medical Marijuana Act.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to table RFP for ambulance service.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to approve the condemnation process for 20 Lobbs Run Road, Tax Parcel ID 640-006-00-00-0006-00.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve the condemnation process for 4042 Finleyville-Elrama Road, Tax Parcel ID 640-008-00-00-0079-02.

Motion by Heather Daerr, Second by Deborah Sargent

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

New Business:

Agenda items under new business included the following:

- A. Approve/Deny Jarrod D'Amico serving as Interim Planning Director.
- B. Approve/Deny Acting Road Superintendent, Peter Overcashier Attending Legislative Meetings.
- C. Consider Union Township Planning Department Recommendation to Amend the Parking Ordinance.
- D. Consider Union Township Planning Department Recommendation for Sewerage Ordinance.
- E. Consider Union Township Planning Department Recommendation for Quality of Life Ordinance.
- F. Approve/Deny Allowing Engineer Harshman & Solicitor Sweat to Respond to Peters Township Retention Pond Maintenance Letter Pursuant to APEX Details of Proper Pond Maintenance.
- G. Approve/Deny Interim Process for Code Enforcement Complaints.
- H. Process for Revisiting Storm Water Management and Maintenance of Retaining Ponds Ordinance.
- I. Approve/Deny Solicitor Sweat Contacting Cypher & Cypher for a Fixed Asset List.
- J. Approve/Deny Great American Camp Out Event at the Veterans Memorial Park on August 18, 2018.
- K. Approve/Deny Conditional Use Decision/EQT Production Company-Caton Well Site.
- L. Approve/Deny Payment of Invoice # to A. Folino Construction in the Amount of \$100,212.19
- M. Approve/Deny Declaration of Payment for the DiLiscia Property on Coal Bluff Road.
- N. Approve/Deny Code Enforcement Request for Action on 11 School Road & 15 Pioneer Freeway Trail.
- O. Consider Sending Township Employee to Playground Maintenance Workshop on August 10, 2018 in Upper St. Clair Township.
- P. Discuss Union Township Community Picnic.
- Q. Discuss LexisNexis
- R. Discuss Purchase of Paper Shredder
- S. Any Additional Items

Motion to approve Jarrod D'Amico to serve as interim Planning Director.

Motion by Deborah Sargent, Second by Richard Lawson

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

Motion to approve Acting Road Superintendent, Peter Overcashier to attend Legislative Meetings if requested.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve the amendment for the parking ordinance in Elrama and authorize Gary Sweats office to prepare and advertise the ordinance.

Motion by Deborah Sargent, Second by Heather Daerr

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

Motion to authorize Mr. Sweats office to prepare a draft sewer ordinance for the Board of Supervisors review.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to table the Quality of Life Ordinance.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to approve Deborah Sargent in the interim period to handle code enforcement complaints with Jarrod D'Amico.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve the Union Township Planning Department to review the storm water management ordinance.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve the Parks and Recreation Great American Camp Out event at the Veterans Memorial Park on August 18, 2018.

Motion by Heather Daerr, Second by Charles Trax

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

Motion to approve the conditional used decision EQT Production Company- Caton Well Site.

Motion by Heather Daerr, Second by Charles Trax

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

Motion to table A. Folino Construction payment until the next meeting.

Motion by Heather Daerr, Second by Charles Trax

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

Motion to approve declaration of payment for the DiLisica property on Coal Bluff Road in the amount of \$2,000.00.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve the Road Crew to cut the properties located at 11 School Road and 15 Pioneer Freeway Trail. Monitor 15 Pioneer Freeway Trail that is up for sale.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to approve sending Township employce to Playground Maintenance Workshop on August 10, 2018 in Upper St. Clair Township.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to postpone Union Township Community Picnic and have a small gathering to dedicate Veterans Memorial Honor Roll.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to cancel LexisNexis subscription.

Motion by Paul Chasko, Second by Heather Daerr

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

Motion to approve Secretary, Nicole Donley to find a paper shredder.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve the contract for Frank Siffrin.

Motion by Deborah Sargent, Second by Charles Trax

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

Motion to approve meeting prayer schedule.

Motion by Deborah Sargent, Second by Richard Lawson

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

Vice-Chairperson, Deborah Sargent questioned the Board of Supervisors regarding a correspondence received from EQT regarding the soil sampling for the proposed truck staging area at the Nike Site. Discussions regarding EQT, truck traffic, noise and nuisance issues ensued amongst the Board, Acting Road Superintendent, Engineer and Solicitor ensued in depth.

Resident Tammy Lippert (no address given) expressed her concerns regarding EQT, truck traffic and nuisance issues related to the proposed truck staging site. Ms. Lippert also expressed her concerns regarding areas on Finleyville-Elrama Road without public sewerage.

Supervisor, Richard Lawson asked Engineer for an update on the questioned violation of consent order on Mingo Circle. Mr. Harshman reported last week he had two meetings. One meeting was with representatives from Senate Engineering and Supervisor, Paul Chasko regarding the update to the act 537 plans. The other meeting was with Senate Engineering and the DEP. Mr. Harshman reported he had secured a right of entry from Mr. Curry. Engineer, Harshman noted Bruno Plumbing is scheduled to make the necessary repairs on Friday of this week. Next, Mr. Lawson reported he had met with representatives from Peoples Gas, above Giant Eagle regarding their property and storm water run-off issues. Lastly, Mr. Lawson expressed his concerns regarding approval of the Act 537 Plans of Union Township and other surrounding Municipalities. Mr. Lawson reported about conversations with Mr. Kovach from Peters Creek Sanitary Authority and the consideration of building its own sewerage plant.

Motion to approve Engineer, James Harshman to start initial discussions with Rich Kovach at PCSA.

Motion by Heather Daerr, Second by Charles Trax

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

Acting Road Superintendent, Peter Overcashier asked the Board of Supervisors what direction they would like him to take regarding the Nike Site roof replacement. Discussions regarding size and storage ensued regarding the building. Conversations resulted in having Mr. Harshman prepare the bid specifications and having Secretary advertise for bids.

Motion to contact Maher Duessel to come in and give a financial statement presentation.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion to approve expenditures for the month of July in the amount of \$100,963.27 as presented by the Secretary/Treasurer subject to being true and correct.

Motion by Heather Daerr, Second by Charles Trax

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

Public Comment:

Frank Latorre: 7 Boyka Drive, Finleyville PA. Mr. Latorre expressed his concerns regarding the steering committee and the old Ringgold Middle School. Mr. Latorre expressed his concerns regarding the Tomko Grading permit.

George Powell: No Address Given. Mr. Powell expressed his concerns regarding Coal Bluff Road and the possibility of another slide during the next heavy rain permit. Mr. Powell asked questions regarding the Old Elrama Chrome Shop. Mr. Powell expressed his concerns regarding soil contamination at the Nike Site.

Kevin Daerr: No Address Given. Mr. Daerr asked if Mr. Tomko is working throughout the week or just Saturdays.

Supervisor, Deborah Sargent announced the Board had an executive session this morning at 8:30 to discuss personnel matters and litigation. Mrs. Sargent also announced she and Pete Overcashier met with the representatives from the FITS Program.

Supervisor, Richard Lawson applauded Harshman CE Group for the quick repair and good work on the McChain Road Slide. Next, Mr. Lawson praised the Road Crew on the great job they did on Don Street.

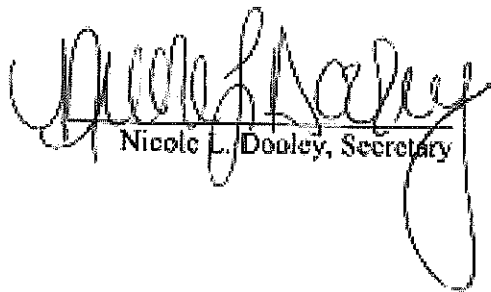
The Board of Supervisors entered executive session at 9:37 pm.

The Board of Supervisors exited executive session at 10:21 pm. Supervisor, Heather Daerr stated the Board of discussed personnel and litigation matters. Mrs. Daerr also stated on Friday, July 13, 2018 the Board of Supervisors had an executive session to discuss personnel issues.

Motion to adjourn at 10:23 pm.

Motion by Heather Daerr, Second by Charles Trax

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


Nicole L. Dooley, Secretary