

**Union Township Board of Supervisors  
Non-Legislative Meeting  
August 8, 2018  
6:30 pm**

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 6:30 pm. The pledge of allegiance was recited. Pastor Ken Barner from Cross Roads Ministries Church delivered a moment of prayer.

Board members in attendance by roll call were Paul Chasko, Charles Trax, Deborah Sargent, and Heather Daerr. Supervisor, Richard Lawson arrived at 6:40 pm.

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

**Public Comment on Agenda Items:**

Frank Latorre: 7 Boyka Drive, Finleyville PA. Mr. Latorre extended a thank you on behalf of Hal Breinig.

Jamie Williams: 2 Elrama Avenue, Elrama PA. Ms. Williams expressed her opinion regarding billing on past sewerage bills.

Departmental reports were delivered by the Road Superintendent, Police and Zoning/Code Enforcement Officer. Also included in the Board of Supervisors meeting packet were reports from Animal Control and the Elrama Fire Department.

Acting Road Superintendent, Pete Overcashier reported to the Board of Supervisors regarding the Don Street drainage project. Mr. Overcashier also reported the closing of Courtney Hill Road by PennDot.

City of Monongahela Police Officer, Kevin Harris reported to the Board of Supervisors regarding the calls for service, accidents, charges, criminal complaints, citations, and arrests for the month of July.

Planning Department Chairperson, Deborah Sargent updated the Board of Supervisors regarding the meeting that took place at 5:30 pm this evening. Mrs. Sargent noted the items discussed were the Bartolotta Land Development Application, Quality of Life ordinance, Storm Water Management ordinance, and Big Box Ordinance. Mrs. Sargent also stated the Planning Department will also start a review of the IPMC.

Zoning/Code Enforcement Officer, Jarrod D'Amico reported to the Board of Supervisors seven notices for junk, five notices for grass, and nineteen notices for nuisance vehicles have been sent out in the past month. Mr. D'Amico then reported multiple citations have been filed on three parcels in the Stone Church trailer park. Next, Mr. D'Amico reported last month he issued three Building Permits, twelve Zoning Permits and nine Change of Address Permits. Lastly, Mr. D'Amico reported there is an update on the sewerage situation on Mingo Circle. Mr. D'Amico asked the Engineer and Solicitor to give that update.

Supervisor, Heather Daerr question Mr. D'Amico if he had any update on the complaint from Gary Avenue regarding the diversion of storm water because of the installation of a fence. Mr. D'Amico stated it is hard to determine when the fence was installed. He reviewed images from Google Earth. Mr. D'Amico noted if the fence was installed without a Zoning Permit the Township can send a notice asking

the homeowner to provide a copy of the Zoning Permit. If the fence was installed without a permit, the Township will require the homeowner to apply for a permit. Mr. D'Amico stated the fence does not violate the Zoning Code. Mr. D'Amico stated if there is any question of diversion of storm water it is a civil dispute between neighbors.

Supervisor, Deborah Sargent question Mr. D'Amico regarding the email chain for a temporary Change of Address Permit. Mr. D'Amico reported the Township had received a Change of Address Permit application for 65 Cardox Road. Mr. D'Amico reported the property has an on lot septic system that has failed a dye test. Per Township ordinance he cannot issue a Change of Address Permit with a failed dye test. Mr. D'Amico reported the Township needs to protect itself. He stated the individuals were asked to provide Union Township with a plan to repair, permit from Washington County Sewerage Council, an estimate from the plumber for the scope of work and a bond or cashier's check in the amount of one hundred and ten percent of the cost of repairs, he will issue a six-month temporary permit. Mr. D'Amico stated that gives the Township money in hand for the repairs if the homeowners were to walk away and make no repairs.

Engineer, James Harshman reported to the Board of Supervisors, his office is in the process of reviewing the Caton Well Pad Grading Permit Application. Mr. Harshman noted he previously reported a Geotech report was submitted in the application. He would like to make a correction, the Geotech report was missing in the application. Engineering has issued comments to EQT. To date none of the comments have been answered. Next, Mr. Harshman reported a Conditional Use Application has been received from EQT for the Garvin Well Pad. He noted the application is being reviewed for completeness. Moving forward, Mr. Harshman reported the conceptual layout plans have been received from EQT for the proposed use of the Nike Site as a truck staging area. Mr. Harshman stated residents have expressed concerns regarding the use of the Nike Site. It is Mr. Harshman's suggestion the Township host a workshop with EQT to allow residents to voice concerns to EQT. Next, Mr. Harshman reported the McChain Road emergency slide repair is complete. Mr. Harshman's recommendation is to pay the invoice minus a five percent retainage for restoration. Once restoration takes place we can release the remaining five percent. Moving forward, Mr. Harshman would like to conditionally award the drainage project at the Legislative meeting. Those conditions being secured easements and satisfactory contract documents being received. Next, Mr. Harshman updated the Board of Supervisors on the Mingo Circle sewerage malfunctions. He reported the plumbers have completed repairs on July 27, 2018 to prevent further graywater discharge. The holding tank is being pumped out six days per week. Mr. Harshman reported last week his office received report of a waterline break on Mingo Circle. Supervisor, Richard Lawson asked Harshman to consider the bridge on Stonebridge Drive when processing the Land Development Application request of Bartolotta properties. Mr. Harshman stated he can get a cost to do a structural analysis of the bridge and see if it needs to require a weight limit. Moving forward Mr. Harshman reported he will be sending notice to Sunoco regarding the mud on Patterson Road. Lastly, Mr. Harshman reported his office has received a work schedule from El Grande Industries. Mr. Harshman will facilitate a meeting with EQT and El Grande regarding coordination of construction repairs.

Supervisor, Richard Lawson questioned the Engineer and Solicitor if the Pennsylvania Utility Commission could be involved on the Railroad Street erosion issue and CSX.

Solicitor, Gary Sweat reported on the Curry hearing before Judge Emery that took place earlier in the afternoon. Judge Emery took about an hour and a half testimony. Mr. Sweat reported both Mr. and Mrs. Curry were present, representing themselves. Mr. Sweat stated Judge Emery held her decision in abeyance. Judge Emery has rescheduled a conference for August 24, 2018. Mr. Sweat noted the Curry's have about a week to make a proposal regarding repayment and remediation to the Board of Supervisors. Mr. Sweat is to report back as to whether or not the proposal was acceptable. At that time Judge Emery

will issue a ruling. Mr. Sweat reported the Municipal Lien has been placed against the Curry property. All the procedural requirements have been met. The Curry property is scheduled for Sheriff Sale in November. Next, Solicitor Sweat suggested a brief executive session regarding the Tomko Grading Permit and Employment issues. Moving forward, Mr. Sweat reported on the exploration of economic development with the Ringgold School Board. Union Townships next step would be to provide the School Board with a copy of the updated 537 plan once it is completed. Also, it is Mr. Sweats suggestion to have the Planning Department to review the Zoning Map and identify areas for growth and development. Next, Mr. Sweat confirmed a letter was received by PennDot regarding the closing of Courtney Hill Road. Moving forward, Solicitor Sweat noted EQT has made a request to consider the Conditional Use Application for the Garvin Well Pad under the existing Oil and Gas ordinance. Mr. Sweat reported about a conversation with Attorney Blanc Lucas from EQT and repairs to the lower portion of Garvin Road. Mr. Sweat asked the Board to consider October 10, 2018 for the Conditional Use Hearing for the Garvin Well Pad. Lastly, Mr. Sweat briefed the Board of Supervisors on Mr. Siffrin's progress on the items as part of his consultants' agreement. Mr. Sweat also made the recommendation to the Board of Supervisors to choose two members as representatives for the Teamsters Local 203 contract negotiations.

### Review of Agenda Items

The following items were on the agenda for discussion:

- A. Consider Applying for LSA Grant Funds.
- B. Consider Paper Shredder Purchase.
- C. Approve/Deny UPMC Group Agreement.
- D. Consider Copier Contracts.
- E. Consider Nicole Dooley to attend UT Safety Presentation by EQT on September 24.
- F. Consider Refund for Jamie Williams.
- G. Consider Authorizing Peter Overcashier to Contact County 911 to Discuss Maple Street Radio Tower Installation.
- H. Consider Authorizing Pete Overcashier to Request Authorization from PennDot to Place Hidden Driveway Sign on Rankintown Road.
- I. Discuss Use of Nike Site by EQT as Staging Area.
- J. Discuss 5002 Meadow Avenue "Phantom" Storm Water Pipe.
- K. Discuss Cardox Road.
- L. Any Additional Items.

Agenda Item A. Supervisor, Heather Daerr asked the Board of Supervisors for their suggestions. Engineer, James Harshman noted infrastructure is always a good topic. Supervisor Daerr asked Mr. Harshman if he could give a recommendation at the Legislative meeting.

**Motion** to approve UPMC group agreement.

**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 Nicole Dooley to attend Union Township safety presentation by EQT on September 24, 2018.

**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.**

Agenda Item F. Lengthy discussions ensued amongst the Board of Supervisors, Solicitor and Ms. Williams. Supervisor, Heather Daerr expressed her concerns regarding addressing a historical problem that should have been resolved by prior Boards. Mrs. Daerr reiterated the current Board has refunded Ms. Williams from 2016-2017. Ms. Williams issue has been rectified by the current Board and she no longer has a billing issue. Solicitor Sweat expressed his concerns regarding the reimbursement request from 2011 and 2012 exceeding the statute of limitations.

Agenda Item G. Acting Road Superintendent, Pete Overcashier will contact the Washington County to get and update regarding this item.

Agenda Item H. Acting Road Superintendent, Pete Overcashier will draft a letter send a request to PennDot.

Agenda Item I. Engineer, James Harshman covered this item in his report. Supervisor, Richard Lawson expressed his opinion regarding the proposed payment amount for the use of the Nike Site as a truck staging area for EQT.

**Motion** to approve and advertise a public meeting for August 22, 2018 at 5:30 pm for public comments to address the use of the Nike Site as a truck staging area.

**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.**

Agenda Item J. Discussions ensued amongst the Acting Road Superintendent, Supervisors, Solicitor and Engineer regarding further investigations of a Storm Water pipe on Meadow Avenue.

Agenda Item K. Discussions ensued amongst the Board of Supervisors, Solicitor, and City of Police Officer, Kevin Harris ensued regarding overweight trucks traveling on areas Carbox Road and the trucking company not having the road bonded.

Supervisor, Deborah Sargent reported to the Board of Supervisors, she was able to get Union Township on the FITS Program calendar. Union Township is on the FITS schedule for August 17 & 18 2019.

Supervisor, Heather Daerr reported to the public regarding recent questions and concerns of the Ringgold School District Budget. Mrs. Daerr relayed budget information in hopes to clarify community concerns. Next, Mrs. Daerr reported Frank Siffrinn is helping Union Township in the interim period. Mr. Siffrinn will be attending the Legislative meeting on August 22, 2018. Mr. Siffrinn is currently helping the Board with the Union Contract negotiations.

**Public Comment:**

Laura Worton: Aber Road, Finleyville, PA. Mrs. Worton expressed her concerns regarding noise coming from the EQT Hartson Compressor Station.

Supervisor, Heather Daerr read a public statement provided by EQT representatives.

Darla Savko: Aber Road, Finleyville, PA. Mrs. Savko expressed her concerns regarding the noise at the EQT Compressor Station. Mrs. Savko expressed her concerns with EQT not following their conditional use approval.

Wayne Worton: Aber Road, Finleyville, PA. Mr. Worton expressed his concerns regarding noise issues with the EQT Compressor Station. Mr. Worton expressed his opinion regarding mud on Finleyville-Elrama Road coming from the Compressor Station.

Mr. Savko: Aber Road, Finleyville, PA. Mr. Savko expressed his concerns regarding his vehicles and mud on Finleyville-Elrama Road.

Joyce Hill: Courtney Hill Road, Finleyville, PA. Mrs. Hill expressed her concerns regarding the closing of Courtney Hill Road. Mrs. Hill expressed her concerns regarding Courtney Hill Road sinking.

Salicitor, Gary Swear advised residents to please contact State Representatives.

Kevin Daerr: 6187 State Route 88, Finleyville, PA. Mr. Daerr expressed his opinion regarding oversized roads driving on Cardox Road.

Kerrianne Donovan: Courtney Hill Road, Finleyville, PA. Mrs. Donovan expressed her concerns and opinions regarding the closing of Courtney Hill Road. Mrs. Donovan expressed her opinion regarding the Township issuing fines to the property owners where the water is ponding on Courtney Hill Road. Mrs. Donovan expressed her frustrations in getting answers from PennDot.

Pete Guido: 125 Viareggio Way, Finleyville, PA. Mr. Guido expressed his concerns regarding Union Township taking over the roadways in Tuscany Estates.

Motion to go in executive session for personnel reasons and possible litigation at 8:49 pm.

Motion by Heather Daerr, Second by Charles Trax

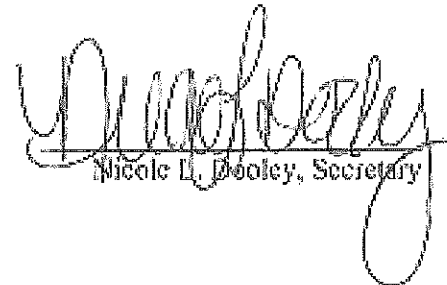
Roll Call Vote: Richard Lawson-YES, Paul Chasko-YES, Charles Trax-YES, Deborah Sargent-YES, Heather Daerr-YES. Motion Carried.

The Union Township Board of Supervisors returned from executive session at 9:37 pm. and was back on record. Supervisor, Heather Daerr stated that in executive session the Board of Supervisors discussed litigation matters and personnel issues. Mrs. Daerr stated and executive session is scheduled for Friday morning at 8:30 am.

Motion to adjourn at 9:38 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