

**Union Township Board of Supervisors  
Legislative Meeting  
September 26, 2018  
6:30 pm**

The Union Township Board of Supervisors Legislative Meeting was called to order by Chairperson, Heather Daerr at 6:40 pm. The pledge of allegiance was recited. Pastor Glenn McClelland from Mingo Creek Presbyterian Church delivered a moment of prayer.

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, Nicole Dooley-Secretary/Treasurer, James Harshman-Engineer, and Jarrod D'Amico-Zoning / Code Enforcement Officer.

**Public Comment on Agenda Items:**

Darla Savko: 68 Aber Road, Finleyville PA. Mrs. Savko expressed her opinion regarding the noise and nuisance issues from the McIntosh Compressor Station. Mrs. Savko expressed her opinion regarding the noise mitigation efforts by EQT.

Supervisor, Heather Daerr read the following statement from EQT representative Stephanie Paluda: "Since our last Township meeting, we installed the temporary sound barriers outside the station and we are in the process of working with a landscaper to install trees. Note that the trees are not for noise mitigation, but rather to make the station less visible per the request of the Township. We have also installed two silencers and are in the process of modifying the third (four total). We plan to have the full scope of the silencer project complete by early next month weather permitting."

Motion to approve minutes for August 22, 2018 Legislative Meeting.

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 minutes for September 12, 2018 Non-Legislative Meeting.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to rescind approval of minutes for September 12, 2018 Non-Legislative Meeting.

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 minutes for September 12, 2018 Non-Legislative Meeting

Motion by Deborah Sargent, Second by Richard Lawson

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



**Motion** to approve payroll #17 dated August 24, 2018 in the amount of \$17,307.69 as 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.**

**Motion** to approve payroll #18 dated September 7, 2018 in the amount of \$8,905.07 as presented by the Secretary/Treasurer subject to being true and correct.

**Motion** by Paul Chasko, 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 special payroll # 4 dated September 7, 2018 in the amount of \$86.12 as presented by the Secretary/Treasurer subject to being true and correct.

**Motion** by Richard Lawson, Second by Paul Chasko

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

**Motion** to approve payroll #19 dated September 21, 2018 in the amount of \$18,679.13 as 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.**

Supervisor, Heather Daerr introduced Mr. Frank Siffrinn. Mr. Siffrinn attended the meeting to present Bond Counsel and Investment Bankers for potential use in the future for large capital projects in Union Township. Mr. Siffrinn stated Bond Counsel would be responsible for all legal matters. They would structure all legal documents and necessary filings. Mr. Siffrinn stated the Investment Bankers would market and sell the bonds to prospective investors. Attorney, Sean Garin representing Dinsmore & Shohl delivered a presentation to the Board of Supervisors describing the process of assisting the Township on going to market and borrowing funds on a tax-exempt basis. Investment Bankers, Mike Smith and Christopher Shelby from PiperJaffray delivered a presentation on the summary of Bond Issuance procedures to the Board of Supervisors.

Solicitor, Gary Sweat reported to the Board of Supervisors, Tim Berggren, Solicitor of the Ringgold School Board would like to set up a workshop regarding the tax abatement program. Mr. Sweat asked the Board of Supervisors to consider, October 24, 2018 before the Legislative meeting. Mr. Sweat will coordinate the workshop with Mr. Berggren. Next, Mr. Sweat noted he has reviewed Union Townships contract with Waste Management. The Township recently received a waiver request from a resident for Waste Management billing from 2013 through 2018. Mr. Sweat stated there is nothing in the contract that would permit the Township to provide a waiver for any billing services. Any request for a waiver would be between Waste Management and the customer. Moving forward in his report, Mr. Sweat updated the Board on a recent complaint regarding noise and nuisance issues from the Railroad, filed by a resident in Elrama. Mr. Sweat noted the complainant was provided with a list of contacts and instructions of how to file a complaint with the PUC. He stated the Township is unable to file a complaint on the residents' behalf. Next, Mr. Sweat reported an argument on the preliminary objections for the Drusbasky case were heard in front of Judge Emery earlier this afternoon. Mr. Sweat reported all parties were present to argue their positions. He noted the next step would be Judge Emery issuing an order. Mr. Sweat then reported, Union Township has provided the detailed time line produced by Senate Engineering to the DEP. He reported the DEP was not happy with the initial summary that Senate Engineering provided. The DEP is looking for a very detailed and specific time line. Attorney, Michael Cruny was able to

provide Attorney Charney Regenstien of the DEP with an updated timeline. Solicitor Sweat noted one apparent complaint is that there still is water in and around the Drusbasky property. Engineer, James Harshman confirmed that water is not sewer water or gray water. It is his opinion it is storm water. Solicitor Sweat noted Union Township wanted to put the cross pipe in months ago and was denied permission to do so by the DEP. It is Mr. Sweats recommendation for the Township Engineer to provide a summary of the scope of work that needs to be completed to reinstall a cross pipe. Mr. Harshman's summary would then be included as part of the amended consent order. Supervisor, Richard Lawson questioned Engineer Harshman on the Townships legal right of way to re-install the cross pipe. Mr. Harshman reported he would require the Township to request a recorded easement before a pipe would be reinstalled. Next, Mr. Sweat reported he Lisa Burkhardt, Attorney for the Tuscany Estates Home Owners Association wanted an update. Lengthy discussions occurred between the Solicitor, Board of Supervisors and Engineer regarding Tuscany Estates. Lastly, Supervisor Deborah Sargent questioned the Solicitor about the residents of 13 Mingo Circle obtaining access to their property to remove personal items.

**Motion** to allow the Curry's to enter their residence on Thursday, September 27, 2018 and Friday, September 28, 2018 from 10:00 am until 2:30 pm. If the Curry's want additional access that is to be approved at the next 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.**

Engineer, James Harshman reported that some of the contract documents have been received from the contractor for the Nike Site Stockyard roof replacement project. Next, Mr. Harshman updated the Board of Supervisors that the correction on the curbing on McChain Road was made. Moving forward, Mr. Harshman reported the contract for the Lobs Run drainage project has been signed. He noted the contract documents for Gilmore Road are prepared and in need of signatures. Mr. Harshman reported there was some ditch work on the Lobbs Run drainage project that was originally to be complete by the Township Road Crew. The Township Road Crew has since made the request for J Stewart to complete the ditch work because of time constraints. At the request of the Union Township Road Department, Mr. Harshman asked the Board of Supervisors to approve J Stewart to perform the ditch work at the inlet on Lobbs Run. The scope of work involves excavating twenty feet on either side of the inlet and installation of rip rap. Mr. Harshman noted the Township would also provide the stone.

**Motion** to approve J Stewart \$300.00 change order for ditch work on Lobbs Run Road as recommended by the Road Department.

**Motion** by Heather Daerr, Second by Paul Chasko

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

Moving forward in Mr. Harshman's report, he advised the Board earlier in the day he sent them a draft template for the Storm water management letters regarding the four ponds Apex has inspected. He asked the Board to review and provide him with feedback before he mails the letters. Mr. Harshman also reported on the flooding complaints on all sides of the Finleyville Airport property. He noted the Airport has a small storm water pond on the Airport Road side, that has a lot of maintenance issues in need of remediation. Next, Mr. Harshman reported on the Stonebridge side of the Finleyville Airport, he has found several diversion pipes. Looking back on satellite images, in 2008 the diversion pipes were not there. However, in 2010 the pipes were there. Mr. Harshman reported our Storm water ordinance at the time would not approve of the diversion pipes without approval from the Township. Mr. Harshman stated he will be handing this information off to the Solicitor to prepare a follow up letter to be sent to the Finleyville Airport. Next, Mr. Harshman noted there is an active Grading Permit for the resurfacing of the Airport runway. The project did not make any consideration of the Stormwater pond or the diversion

pipes in the airports review. However, it is an issue on the site. Mr. Harshman recommends not closing out the Grading Permit until there is a common understand of how we are going to deal with those issues. Moving forward, Mr. Harshman reported he has turned in an analysis on the Linden Street flooding problem. Lastly, Mr. Harshman reported everything has been packaged up for the LSA Grant application for the Ridge Avenue Project.

Supervisor, Heather Daerr asked the Board if they had any objections to Code Enforcement and Police doing sound meter readings at the McIntosh Compressor Station. Mrs. Daerr noted she is getting conflicting reports from residents on Aber Road regarding the noise. She stated some of the residents are reporting the noise levels are louder, as other report the noise levels have tapered off.

#### Unfinished Business:

Agenda items under unfinished business included the following:

- A. Courtney Hill Update Harlan Shober.
- B. Approve/Deny 2018 Payment of Fire Services Contract for Finleyville VFD & Elrama VFC in the Amount of \$15,750.00 per Department.
- C. Approve/Deny Extension of Fire Services Contracts with Finleyville VFD & Elrama VFC for 2019.
- D. Approve/Deny Fourth Quarter Payment of Police Contract in the Amount of \$88,550.25.
- E. Approve/Deny Extension of Police Service Contract for 2019.
- F. Approve/Deny Sewerage Ordinance 2018-06.

**Motion** to appoint a task force on conversations only with Harland Shober and State Representatives regarding Courtney Hill, task force members would be Heather Daerr and Richard Lawson.

**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 fire service contract payment for Finleyville VFD and Elrama VFC in the amount of \$15,750.00 per department.

**Motion** by Charles Trax, Second by Paul Chasko

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

**Motion** to approve extension of fire services contracts with Finleyville VFD and Elrama VFC for 2019.

**Motion** by Charles Trax, 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 fourth quarter payment of Police contract in the amount of \$88,550.25.

**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 extension of Police service contract for 2019.

**Motion** by Richard Lawson, Second by Paul Chasko

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

**Motion** to approve sewerage ordinance 2018-06.

**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.**

**New Business:**

Agenda items under new business included the following:

- A. Approve/Deny LSA Grant Application for Ridge Avenue Bridge Project and up to \$40,000.00 Match via Resolution #9 of 2018.
- B. Approve/Deny Lisa Morris Resignation from the Parks and Recreation Board.
- C. Approve/Deny Union Township Parks and Recreation Halloween Egg Hunt Request.
- D. Approve/Deny Union Township Parks and Recreation Request for \$100.00 to Purchase Supplies for Halloween Egg Hunt.
- E. Consider Supervisor to Serve as an Interim Board Member on Parks and Recreation Board.
- F. Discuss Brownsville Park Sewerage.
- G. Discuss Next Steps with Kerry Fox, Redevelopment Authority, Regarding Community Development Block Grant.
- H. Approve/Deny PCSA Request for Letter of Support for LSA Grant Application and Resolution #10 of 2018.
- I. Consider William Castors Request for Veterans Memorial Lighting.
- J. Consider William Castors Request Regarding the Waiver of Rental Fee's for Veterans Renting the Union Township Veterans Memorial Park.
- K. Discuss William Rellis and Veterans Memorial Monument.
- L. Discuss Existing Storm Water Ponds, the Possibility of Obtaining & Reviewing the Original Design Plans and the Future Management of those Ponds.
- M. Any Additional Items

**Motion** to approve the LSA grant application for the Ridge Avenue Bridge Project and up to \$40,000.00 match via resolution #9 of 2018.

**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 Lisa Morris resignation from the Parks and Recreation Board.

**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 Union Township Parks and Recreation Halloween Egg Hunt request

**Motion** by Richard Lawson, 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 Union Township Parks and Recreation Department request for \$100.00 to purchase supplies for the Halloween Egg Hunt.

**Motion** by Richard Lawson, Second by Heather Daerr

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

Agenda item E. Discussion amongst the Board of Supervisors ensued. Board members decided they can help the Parks and Recreation Board when needed. However, no Board member could commit to another

position. Supervisor, Heather Daerr stated she would contact Mr. Werner of the Parks and Recreation Board.

Supervisor, Heather Daerr publicly thanked Kevin Daerr for donating wood for the Great American Campout. Mrs. Daerr also thanked Richard and Debbie Lawson for their help with setting up and cleaning up after the Veterans Memorial Monument dedication service. Mrs. Daerr also thanked Mr. and Mrs. Castor for their hard work organizing the Veterans Memorial Honor Roll and the dedication service.

Agenda item F. Supervisor, Richard Lawson asked if the Road Department could keep track of the water meter readings when the septic tanks at the pump are parked. Discussion regarding the possibility of storm water penetrating the holding tanks ensued.

**Motion** to approve task force of Paul Chasko and Richard Lawson to set up a meeting with Kerry Fox to discuss potential projects for the use of CDBG funds.

**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.**

Engineer James Harshman noted the Community Development Block Grant funds can be used in areas of low income for improvements to roads, sewers, storm sewers, demolition etc.

**Motion** to approve Peters Creek Sanitary Authority request for letter of support and LSA Grant application resolution 10 of 2018.

**Motion** by Richard Lawson, Second by Heather Daerr

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

Agenda item I. Discussion amongst the Board ensued. Supervisor, Heather Daerr suggested the coordination between Pete Overcashier and Mr. Castor for purchasing and installing a sufficient solar powered light for the honor roll.

**Motion** to discount the rental fee for Veterans Memorial Park for Township Veterans at a fee of \$50.00 and non-resident Veterans of \$125.00 with proper identification.

**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.**

Agenda item K. Supervisor Daerr noted she hasn't had much time to review Mr. Rellis information. She stated she will make copies of for the other Supervisors to review and discuss at the next agenda meeting.

Agenda item L. This agenda item was discussed during the Engineers report.

Supervisor, Charles Trax noted Ken Puglisi grass cutting fees are at \$19,390.00. Mr. Trax reported worst case scenario, Mr. Puglisi's fees would be an additional \$4,465.00 for the remainder of the grass cutting season. Supervisor, Richard Lawson stated it is his opinion the Road Crew is too busy given the projected work load by Acting Road Superintendent, Pete Overcashier. Solicitor, Gary Sweet noted rain events and grass growth would qualify for an emergency approval

**Motion** to approve Ken Paglisi grass cutting service to continue cutting Township grass through this calendar year.

**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 noted Finleyville Borough is having a meeting regarding flooding issues if any Board Member is interested. Mrs. Daerr questioned the Board on their opinion regarding purchase orders. Next, Mrs. Daerr reported she and Supervisor Lawson attended the EQT First Responders Awareness meeting earlier in the week. The meeting was held at the Finleyville Volunteer Fire Department. Mrs. Daerr expressed her opinion regarding a Township Emergency Management plan. She noted she will add that item to the next agenda meeting. Supervisor Daerr also reported Stephanie Paluda from EQT gave both fire companies, police, ambulance service and Union Township a donation from their local giving fund. Union Township received \$1,500.00. Mrs. Daerr asked the Board to consider what they would like to expend those funds on.

Supervisor, Richard Lawson reported he bought a seventy-inch projector screen at an estate sale that he will be donating to Union Township. Next, Mr. Lawson question Solicitor Sweat about if the Township is permitted to acquire blight property? He questioned if the houses can be condemned and torn down and the Township could give that property away to qualifying individuals to build houses on to create tax revenue. Mr. Sweat noted the Township can condemn houses that are uninhabitable, structurally unsound or safe. The Township would then have to lien the property and execute on the lien unless the property owner would sign a deed in lieu of. Mr. Sweat noted one area of research he would have to pursue is if the Township could give away assets.

**Motion** to approve September expenditures in the amount of \$201,238.49 as presented by the Secretary/Treasurer subject to being true and correct.

**Motion** by Richard Lawson, Second by Heather Daerr

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

**Public Comment:**

George Powell: (No Address Given) Mr. Powell expressed his opinion on what a great job the Union Township Board of Supervisors are doing.

Hal Breinig: 44 Finley Avenue, Finleyville PA. Mr. Breinig expressed his concerns regarding the Township purchasing the old Ringgold Middle School. Mr. Breinig thanked the Zoning & Code Enforcement Officer for the work he had done on to get blight properties torn down with grant funds. Mr. Breinig expressed his opinion regarding the date for the Halloween Egg Hunt. He would like it to be coordinated so it does not conflict with other Trunk-or-Treat events.

Robert Dooley: 1003 Marwood Lane, Finleyville PA. Mr. Dooley questioned the Board of Supervisors regarding the Road Department letting the Curry's have access to their property.

The Board of Supervisors entered executive session at 9:26 pm.


The Board of Supervisors returned from executive session at 10:00 pm. Supervisor, Heather Daerr stated the Board discussed personnel issues.



Motion to adjourn at 10:01pm.

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