

Union Township Board of Supervisors  
 Non-Legislative Meeting  
 November 13, 2017  
 7:00 p.m.

The Board of Supervisors Meeting was called to order by Chairperson Deborah Sargent at 7:00pm. 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, Deborah Sargent, Heather Daerr, Charles Trax, and Paul Chasko.

Also in attendance, Mr. Gary Sweat-Solicitor, Robert Balogh-Manager, Nicole Dooley-Secretary, James Harshman-Engineer, Jarrod D'Amico-Zoning & Code Enforcement, Pete Overcashier-Road Superintendent, Brian Tempest-Police Chief, Chris Dell- South West Regional EMS Andrew Sweat-Attorney, Laura MacAulay-Harshman CE Group, LLC.

**Public Comments on Agenda Items:**

Frank Lattore: 7 Boyka Drive, Finleyville. Mr. Lattore stated: First of all, I would like to thank everybody for the election. Thank everybody that ran. Everybody that voted. Congratulate the winners. I think the big winner is the people in this township. On the agenda item the task force for the middle school, I think that is something we definitely need to work on.

Rick Lawson: McClelland Road, Finleyville. Mr. Lawson stated: I just wanted to thank everyone for voting.

JoEllen Meek: 124 Vareggio, Finleyville. Mrs. Meek stated: she didn't have an agenda item and would hold her comment to the end.

Departmental reports were delivered by Mr. Pete Overcashier-Road Superintendent, Mr. Brian Tempest-Chief of Police, Chris Dell- South East Regional EMS (SER EMS), and Jarrod D'Amico-Zoning & Code Enforcement, Paul Chasko-Union Township Planning Commission.

During the Ambulance Report discussions opened between Mr. Chris Dell and the Board of Supervisors regarding the daily stationing of an ambulance unit. Mr. Dell stated a crew reports to the Union Township Municipal Building every morning. He then noted the unit parked in the ambulance bay then becomes a part of the South East Regional EMS operating system. He reported during the day South East Regional EMS generally has about five ambulance units operating for their service area. In the overnight hours the coverage drops down to about three ambulance units operating in the South East Regional EMS service area. Supervisor, Larry Spahr questioned Mr. Dell about the high number of call volume in Union Township compared to the other communities serviced by SER EMS. Mr. Dell noted that is not an accurate statement. He reported compared to the other nine communities serviced by SER EMS Union Township has a low number calls. Chairperson, Deborah Sargent discussed response time with Mr. Dell and she wanted clarification from Mr. Dell if forty-five calls are a high enough number of calls to keep an ambulance stationed in the bay at all times located at the Union Township Municipal Building. Mr. Dell responded by saying the average response time for a call is about ten minutes. He assured the Board of Supervisors SER EMS takes response time very seriously. Mr. Dell then stated to be clear there is not a unit stationed twenty-four hours a day seven days a week and there is simply not enough call volume in Union Township to warrant that. Mrs. Sargent reiterated her question and made the statement that even if

Union Township would offer SER EMS a monetary value there still is not enough call volume to substantiate SER EMS keeping a crew stationed in Union Township seven days a week twenty four hours a day. Mr. Dell agreed with that statement. Mrs. Sargent made mention the previous Board of Supervisors built that bay with hopeful intentions of having ambulance service stationed in Union Township full time. She noted research should have been done prior to building the \$400,000.00 structure. Mrs. Sargent asked Mr. Dell for SER EMS for the blessing of repurposing the building in the coming year. Mr. Dell concurred with Mrs. Sargent. He noted SER EMS would work with Union Township for other service arrangements in the future.

Engineer, James Harshman spoke regarding his report enclosed in the Board of Supervisors meeting packet on the active topics of Don Street Stormwater drainage relevant to the Brennfleck Property, Mingo Circle Sewage Malfunctions, Tomko Land Development Application, Tomko Grading Permit, Finleyville Airport Grading Permit, Jason & Jack Bridges, Coal Bluff, Gillmore, & Pleasant View Erosion and Slide Areas, Tuscany Estates, EQT McIntosh Compressor Station, Road Impact Permitting, 2018 Storm Sewer Projects, 220 Stonebridge Drive drainage complaint. Mr. Harshman's report enclosed in the Board of Supervisors meeting packet also contained old inactive topics regarding roads, EQT Hartson Subdivision, Daugherty Plan of Lots 3, Sunoco Patterson Road, PA Small Water & Sewer Grant, Patterson Road Walsh Detour Request, Garvin Road DGLVR Grant, McClelland Road, Sugar Camp/Trax Road Intersection Sight Distance, CMA Act 537 Plan Review Request, McChain Road Slide (Corrace). Additional documents included in the Board of Supervisors meeting packet included an inspection report and his recommendation for the storm water drainage situation on Don Street at the Brennfleck property. Union Township Road Bonding Report and new suggested road permit procedures for the Board of Supervisors Review.

Mark Burton: Designer, Consultant and Project Manager from Stirling Bridge Development contractor representing the Brennfleck Property spoke to the Board of Supervisors regarding an existing inadequate storm sewer system. Mr. Burton's largest concern was found within the past week of his project. The invert elevation of the pipe Union Township installed coming across the road drops at a two foot fall and forty feet. The problem with the invert elevation of the smaller diameter pipe that joins the Township pipe is two foot higher. That means the water is trying to flow up hill. Mr. Burton proposed to the Board of Supervisors to authorize Stirling Bridge Development to complete and install three catch basins. Two being on Township right of way. One to be installed on the high side of Don Street and one adjacent to Brennfleck property. The third catch basin would be smaller and installed to tie into the smaller diameter pipe adjoining the Township pipe. Mr. Burton is willing to complete the necessary repairs as long as the materials are provided by Union Township. He noted he is on a very short timeline and his hands are tied. He stated his homeowners inherited a problem that someone in Union Township tried to fix some time ago. He noted they are looking for some help and consideration from the Board of Supervisors. Discussion and deliberation amongst the Board of Supervisors, Engineer, Solicitor, and Mr. Burton to remedy the storm water drainage issue ensued.

**Motion** according to Gary Sweats recommendation to install two catch basins within the Union Township right of way to be installed by the Union Township Road Department.

**Motion** by: Deborah Sargent, Second by Heather Daerr.

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

Mr. Harshman continued with his report on the Mingo Circle sewerage malfunctions, the parties involved. He also noted his attempts to coordinate a meeting with Tom Wright and Stan Glumac per the DEP's request. Solicitor, Gary Sweat interjected to report that in today's mail he received notification of an emergency motion made by Mr. Drusbasky's attorney presenting to judge Emery on Thursday at 9:15. It is Mr. Sweat's opinion that on Thursday if the proper DEP officials are in the courtroom possibly a

remedy to the storm water drainage on the Drusbasky property could occur. Discussions then deliberated between the Solicitor, Engineer and the Board of Supervisors. Mr. Harsham reiterated his recommendation and the plan he has submitted to the PA DEP for the remediation of the storm water run of affecting the Drusbasky property. Supervisor, Heather Daerr made special notation and clarification for the record "I am hearing this back and forth stating that one of the residents wanted the pipe taken off, we have never found that in a motion. That has never been documented. It is kind of a myth being perpetrated. What, I heard was that the pipe that was taken out was the wrong pipe and that resident thought there would be another drainage collection system being put parallel in front of his home after that pipe was taken out". Mr. Harshman concluded he had no additional information regarding Mingo Circle. He then moved forward with his report. Mr. Harshman reiterated his recommendation for a month to month basis for the Tomko grading permit. He reported that the Finleyville Airport grading permit was issued. Next, Mr. Harshman and Laura MacAulay from Harshman CE Group, LLC updated the Board of Supervisors on the progress being made on the Jason & Jack Bridge projects. Status updates were then given on Coal Bluff Road emergency repairs and second phase repairs. Recommendations were also noted for a spring project for Gilmore Road. The Engineer stated he had no update for Tuscany Estates. At that time Solicitor, Gary Sweat reported to date despite multiple phone calls and emails made to Earl Danielson he has not received or seen a revised subdivision for phases six and seven. He noted he did not believe the engineer had received their comment on the bonding amounts either. Mr. Sweat also reported he got an email late this afternoon from Mr. Clausen it state that he has made multiple attempts to Earl Danielson of which none have been answered. Mr. Sweat noted he is not confident that this situation is moving in the right direction. He reiterated that we absolutely do not issue any building permits for phases six and seven. Mr. Sweat's recommendation is that if nothing is received within the next week we proceed with a petition in front of a judge to issue an order to the recorder of deeds to cancel the subdivisions. Mr. Sweat confirmed the letter of understanding signed by Earl Danielson states he is responsible for winter maintenance. We can continue to bill his escrow account for winter maintenance. Moving on Mr. Harshman noted there is a large project and there is a lot of earth work going on at the EQT McIntosh Compressor Station. He moved forward to Road Impact Permitting. He enclosed in the Board of Supervisors meeting packet his recommendation for new policies and procedures for road permits. The new procedures would execute such applications in a timelier manner now that we have a new township manager. Mr. Harshman's recommendation is that complete applications for Heavy Hauling Agreements, Road Bore/Cut, Driveway, and Road Occupancy permits received by the Township Zoning Officer along with all fees and supporting documents be then forwarded to the Manager, Solicitor and Engineer for review. At which point the necessary steps will be taken to review the application. Perform field studies and make proper documentation be it videos or photos as necessary. A review will also be done with the Road Superintendent. An approval/recommendation letter would be issued to the Zoning Officer. Solicitor confirmation of Heavy Hauling Agreement documents concurrent with the Engineer's review. The Zoning Officer would in turn issue a permit based upon the recommendation of the Engineer and Solicitor as applicable for Road Bore/Cut, Driveway and Road Occupancy permits. The Board of Supervisors would execute Heavy Hauling Agreements upon the recommendation of the Engineer and Solicitor as applicable.

**Motion** to authorize action to be taken on items 1-4 listed on the Union Township Road Bonding report for November 13, 2017 conditioned on all fees being paid.

**Motion** by Deborah Sargent, Second by Charles Trax.

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

Mr. Harshman reported the 2018 storm sewer projects list are being coordinated with Pete Overcashier-Road Superintendent. Lastly, a drainage complaint was received by property owner Brandon Hart at 220 Stonebridge Drive. A previous paving project has obstructed a roof drain causing discharge of water to

the street. Mr. Harshman requested the authorization from the Board of Supervisors to review the drainage complaint with Pete Overcashier.

**Motion** to authorize Pete Overcashier and Jamie Harshman to review the drainage complaint at 220 Stonebridge Drive.

**Motion** by Heather Daerr, Second by Deborah Sargent.

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

During the Engineers report Solicitor, Gary Sweat notified Mr. Harshman and Board of Supervisors an email was received from Diliscia's attorney stating Mr. Harshman could contact Mr. Diliscia, and go on to the property, speak to the owner and to investigate the drainage problem.

Manager, Robert Balogh reported to the Board of Supervisors the engagement with Palermo Kissinger has come to an end. He asked the board to consider extending the engagement period with Palermo Kissinger in order to complete the back log of work left behind from the former Treasurer.

**Motion** to extend the initial engagement period with Palermo Kissinger for another \$2,400.00.

**Motion** by Charles Trax, Second by Heather Daerr.

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

During the manager's report, Mr. Spahr expressed his concerns about not getting updated financial records. Mr. Balogh reiterated we are working hard to fill the back log of work in order to provide the Board of Supervisors with up to date financial statements. Next, Mr. Balogh noted it is generally customary to hold back on the budgetary discussions in the year of an election until the newly appointed Supervisors come on board and allow them to be involved in the budgetary process. Budget work has begun and he would like to set up workshops in the near future. Mr. Balogh proceeded with a reminder to the Board of Supervisors the 2018 reorganization meeting falls on a holiday and it will be moved to the next business day of January 2, 2018 by code. In addition to changes in meetings the Legislative meeting falls on December 26, 2017. It was Mr. Balogh's understanding in previous years the Board of Supervisors motioned to change the date to the week prior. He suggested the Board of Supervisors consider changing the Legislative Meeting to December 18, 2017 at 7:00pm.

**Motion** to change the Legislative Meeting to December 18, 2017.

**Motion** by Heather Daerr, Second by Deborah Sargent.

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

Mr. Balogh briefed the Board of Supervisors about the financial audit that is currently taking place. He informed them that request for information by the legal counsel have been received. Data is being gathered and sent. A request was made to Mr. Balogh by the Road Department to approve filling out a credit application for Napa Auto Parts. Mr. Balogh then asked for the Board of Supervisors approval for opening a Napa Auto Parts credit line for parts for the Road Department.

**Motion** to approve the opening of a Napa Credit account with a \$10,000.00 credit limit extended as needed.

**Motion** by Charles Trax, Second by Heather Daerr

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

Mr. Balogh addressed the complaint of the public and members of the board regarding audio in the meeting room. He had Diagostino electronics come in the interim period to evaluate and give a bid for a public address sound system. The bid amount was over \$17,000.00. Obviously, Mr. Balogh was not inclined to spend that amount of money on a sound system. He has gone back to the drawing board to figure out a remedy to the situation. The last issue to be addressed on the manager's report was the snow removal at Tuscany Estates. However, that issue was resolved during the Engineers report by Solicitor, Gary Sweat.

### NEW BUSINESS

Agenda items discussed under New Business included the following:

- A. 2018 Police Agreement Extension
- B. 2018 Fire Departments Agreement Extension
- C. Discuss Intergovernmental Agreements
- D. Gas and Oil Ordinance
- E. New Supervisors Training
- F. Division of Foreign Fire Relief Monies
- G. Discuss Act 42 of 2017 "mini-casino" Resolution.
- H. CDL License Status
- I. Kennedy Road Drainage Problem
- J. Brenfleck Property
- K. Road Master Policy
- L. Lew Street Pipe Entrance Hazard
- M. Approve Regularly Scheduled Payments
- N. Task Force for Middle School
- O. Any Additional Items

**Motion** to extend the 2018 Police Agreement through next year with the City of Monongahela Police.

**Motion** by Heather Daerr, Second by Charles Trax.

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

**Motion** to extend the 2018 Fire Department Agreements with the two fire departments.

**Motion** by Deborah Sargent, Second by Heather Daerr

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

**Motion** to allow Mr. Balogh and Mr. Sweat to start to coordinate the intergovernmental agreement ordinance for Union Township.

**Motion** by Heather Daerr, Second by Deborah Sargent.

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

**Motion** to approve a 90 day extension period for the David Barkey and Shaun McQuillan for meeting their CDL requirement.

**Motion** by Charles Trax, Second by Deborah Sargent

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

**Motion** to approve Pete Overcashier and James Harshman to look at Kennedy Road.

**Motion** by Heather Daerr, Second by Deborah Sargent.

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

**Motion** to install a storm water catch basin on Lew Street.

**Motion** by Deborah Sargent, Second by Charles Trax.

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

**Motion** to approve and allow regularly scheduled payments.

**Motion** by Heather Daerr, Second by Deborah Sargent.

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

Solicitor, Gary Sweat noted he had given the majority of his report through the course of the meeting. However, in addition he added that Marwood Lane is now an official Township road. The certificate from the clerk of courts has been received. The ordinance for Marwood Lane is certified. Mr. Sweat also reported he has received hearing transcripts which will be forwarded to the Manager, Rob.

**PUBLIC COMMENT ON NON-AGENDA ITEMS:**

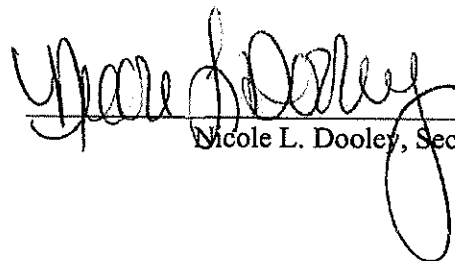
Hal Breining: 44 Finley Avenue, Finleyville. Mr. Breining commented on the recent election of the Board of Supervisors. Mr. Breining also expressed his concerns regarding storm water drainage at the bottom of Boyka Drive. He stated he would like to Road Superintendant and Engineer to look at the situation. Hal also expressed his ongoing concern about the work being done on the Tomko property. Mr. Breining also included a statement for the individual in the Township who was poking tires in recent weeks.

George Powell: (no address given) Mr. Powell expressed his concerns regarding the daily removal of the road closed sign on Gilmore Road. He is asking for a larger barrier to be installed while the road is closed.

**Motion** to adjourn at 10:03pm.

**Motion** by Deborah Sargent, Second by Charles Trax

Roll Call Vote: Mr. Spahr-YES, Mr. Trax-YES, Mr. Chasko-YES, Mrs. Sargent-YES, Mrs. Daerr-YES, **motion carried.**

  
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Nicole L. Dooley, Secretary