

Union Township Board of Supervisors
Non-Legislative Meeting
November 14, 2018
6:30 pm.

The Union Township Board of Supervisors Non-Legislative Meeting was called to order by Chairperson, Heather Daerr at 6:40 pm. The pledge of allegiance was recited. Pastor Ken Barner, from Crossroads Ministries 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, Joan Carmen-Assst. Secretary/Treasurer, James Harshman-Engineer, Jarrod D'Amico-Zoning/Code Enforcement Officer, Tom Kelley-Acting Road Superintendent and Kevin Harris-City of Monongahela Police.

Public comment on Agenda Items:

No public comment was made.

Acting Road Superintendent, Tom Kelley reported to the Board of Supervisors on road, park, and equipment maintenance, drainage projects, general statistics and miscellaneous activities of the Road Department. Mr. Kelley noted Union Township has a very knowledgeable public works crew. Mr. Kelley thanked the Board of Supervisors for their action on the necessary repairs made on one of the department trucks. Mr. Kelley reported to the Board regarding the meetings with Engineering on Garvin Road and Gilmore Road. Mr. Kelley also reported most of the electrical work has been completed at the park for the Veterans Memorial Honor Roll. Road Superintendent Kelley also asked the Board for permission to obtain information and quotes for possible upgrades or replacement of existing radio equipment.

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

Zoning/Code Enforcement Officer, Jarrod D'Amico updated the Board of Supervisors updated the Board of Supervisors on fourteen new investigations of Code Enforcement complaints since the last meeting. Mr. D'Amico reported to the Board regarding 48 Davidson Avenue in Elrama. He noted citations were issued over two months ago, and a plea has not been entered by the defendant. Mr. D'Amico asked the Board to consider having the Public Works department intervene and correct the violations at the cost to the owner of the property. Moving forward, Mr. D'Amico reported he was back in court with the owner of multiple properties on Pleasant View Road. He noted Judge Pettit gave Mr. Castor another forty-five days to remediate the violations. Next, Mr. D'Amico noted the owner of the Stone Church trailer park was given ninety days to finish the work. Mr. D'Amico reported he will be keeping a close eye on the progress. Moving on, Mr. D'Amico reported on the number of permits issued in Union Township over the past month. Lastly, Mr. D'Amico thanked the Monongahela Police for their help in addressing resident complaints about Tri-axles on Ivy Hill Lane and Kelly Lane.

Supervisor, Deborah Sargent updated the Board of Supervisors regarding the evenings earlier Planning Department meeting. Mrs. Sargent stated the Planning Department made a motion to recommend to the Board of Supervisors the rezoning of the Mineral Beach properties owned by Joe Lisanti, for a future development of homes.

Also included in the Board of Supervisors meeting packets were reports from Animal Control and Elrama Volunteer Fire Company.

Engineer, James Harshman reported his office, Union Township Road Department, and Acting Road Superintendent have been developing a comprehensive list of infrastructure planning for the upcoming year. Included in the list are budgets for MS4 projects that would need to be accomplished in the next four years, as well as possible flood mitigation projects. Mr. Harshman will be submitting information for the Board's review and budgetary planning. Next, Mr. Harshman reported he has looked at a few coal refuse areas in the Township for possible future development. He forwarded maps of the areas for Mr. Lawson to review. Mr. Harshman also stated it would be advisable to start to look in the extension of sanitary sewers from the New Eagle lift station. Moving on, Mr. Harshman stated the Finleyville Airport has not been able to locate any paperwork or records regarding the drainage concerns on the Stonebridge side of the Airport. The Finleyville Airport has requested another site meeting with the Engineer. Mr. Harshman stated the Airport is blaming some of the drainage issues on the property in between Stonebridge and the airport. Discussion amongst the Board, Solicitor, Engineer and Code Enforcement Officer ensued regarding citing the Airport property. Mr. D'Amico was instructed to send the Finleyville Airport a citation / code enforcement letter. Supervisor, Richard Lawson stated the grading on the Airport is done wrong and that it is pushing the stormwater towards Airport Road. Mr. Harshman stated he has contacted Mr. Tomko's attorney Chris Coppola. Mr. Harshman stated Mr. Coppola reported Mr. Tomko is willing to make the necessary grading changes. However, Mr. Harshman has not seen any repairs. Moving on, Mr. Harshman reported Giant Eagle is investigating their responsibility of repairs to their stormwater pond. The Township has not received a formal response letter from Giant Eagle's attorney. Mr. Harshman noted there has not been a response from the pond owners at Tuscan Estates or the Shire. Mr. Harshman recommends follow up with a code enforcement letter on all of the ponds. Next, Mr. Harshman reported he needed Board signatures on the utility easement for Cherry Avenue. Moving forward, Mr. Harshman stated he has recommended the payment of the invoice for the Nike Site Stockyard Roof replacement project for the Legislative meeting. Next, Mr. Harshman asked for Board feedback on Garvin Road. Discussions amongst the Engineer, Solicitor, and Board ensued regarding Garvin Road.

Motion to advertise for a public workshop on Monday, November 19, 2018 at 11:00 am to discuss Garvin Road improvements and any other matters that come before the Board.

Motion by Heather Daerr, Second Deborah Sargent

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

Moving forward, Mr. Harshman reported the work is complete for the DGLVR Grant on Garvin Road. Mr. Harshman stated invoice is ready for payment. Mr. Harshman recommends waiting on paying the invoice until we get reimbursed from the WCCD next month. Next, Mr. Harshman reported comments on the Heavy Haul Agreement for the Caton Well Pad. Mr. Harshman noted he is looking for Board feedback. Mr. Harshman then reported EQT has provided a conceptual plan for the potential use of the Nike Site for a truck staging area. EQT has volunteered to host a workshop and discuss potential impacts and hear resident concerns. EQT is looking for a workshop date sometime in January. Next, Mr. Harshman reported there is one inlet that is part of the 2018 Paving Project that is sitting high. Bryan Lowe of Harshman CE Group has contacted A. Folino to correct the problem. Mr. Lowe is not getting any action by A. Folino. Mr. Harshman recommends the Board of Supervisors pay the final invoice and deduct the amount to make the correction on the inlet. Moving on, Mr. Harshman recommends the retainage on the McChain Road Slide repair be paid to J Stewart. Next, Mr. Harshman reported the Lobbs Run drainage project is complete. The drainage project on Gilmore Road has just started. Moving forward, Mr. Harshman reported Chris Deeb is no longer the Geotech Engineer for the Tomko Grading Project. Mr. Harshman has met with the new Geotech Engineer overseeing the project by the name of

Justin Stewart. Mr. Stewart has concerns regarding Mr. Tomko grading to the recommendations of the Geotech Engineer. Mr. Stewart has a meeting scheduled for Thursday to review the Tomko worksite. He will provide Engineer Harshman with a report after the meeting. Solicitor, Gary Sweat noted this could be a breach of the agreement. Mr. Harshman reported Justin Stewart is the Vice-President of Geotech Engineering. Mr. Harshman reported Mr. Stewart stated he will not put his companies name at risk if Mr. Tomko does not do what he is supposed to do. Engineer Harshman questioned Solicitor Sweat if his office could follow up with the DEP regarding the authorization and installment of the cross pipe on Mingo Circle. Next, Mr. Harshman reported CSX has requested and advanced payment in the amount of \$10,890.00 for preliminary engineering on the Railroad Street. Moving on, Mr. Harshman's office has begun the final design for the Overlook Sewerage project. Construction survey and utility coordination is underway. Mr. Harshman recommends the Board consider a public workshop. Lastly, Mr. Harshman reported an updated inspection of a deteriorated private stream has been completed. This stream is causing flooding on Airport Road. Mr. Harshman recommends a Code Enforcement notice to the property owner to repair.

Solicitor, Gary Sweat reported to the Board of Supervisors on the successful execution of the Municipal Lien of 13 Mingo Circle. The Sheriff sale took place on November 2, 2018. The Township will receive a deed from the Sheriff's office. Moving on, at the direction of the Union Township Board of Supervisors, Solicitor Sweat completed employment agreements for the Secretary/Treasurer and Asst. Secretary/Treasurer. Mr. Sweat has sent the final draft and exhibits for review. Next, Mr. Sweat reported a "jail house" complaint was served last week to the Secretary/Treasurer. The complaint did not name Union Township as a defendant. Solicitor Sweat recommends turning the complaint over the Township insurance carrier. Next, Mr. Sweat informed the Board of Supervisors has forty-five days to provide a written decision, findings of facts and conclusions regarding the Conditional Use Application for the Garvin Well Pad. Mr. Sweat noted the Board is entitled to attached reasonable conditions regarding public health safety and welfare. Mr. Sweat would like the Board to inform him of any other conditions they would like to apply to the Garvin Well Pad. Moving on, Mr. Sweat stated he had conversations with Kerry Fox of the Washington County Redevelopment Authority regarding a possible tax abatement program with the Ringgold School District. Mr. Sweat was pleased to report the Redevelopment Authority would be happy to participate with the Township and School District in identifying and developing an industrial park. Mr. Sweat stated Mr. Fox is also going to have discussions with County Commissioners as well. It is Mr. Sweats opinion the Township may want to put out feelers for a commercial industrial developer that would be interested in developing a site in conjunction with the School District, Township and Redevelopment Authority. Next, Mr. Sweat reported Mr. Fox brought him up to date concerning the old Elrama Chrome Shop. Mr. Sweat noted he has had discussions with Engineers from KU Resources. Mr. Sweat delivered a brief background stating the property site was contaminated, and the DEP stepped in. There was a site evaluation and remediation over several years. When site remediation is performed the property, owner is required to record an environmental covenant on their deed. The former property owner did not fulfill the requirement. The DEP stepped in and filed the environmental covenant. When the Township acquired ownership of the property, we worked with the Redevelopment Authority, KU Resources and did an Act 2 remediation. A thorough site analysis was performed. The remediation that was done removed the hazards and removed the use restrictions allowing the site to be developed as a public park. To complete the Act 2 remediation process, we are required to amend the environmental covenant that is of record with our own environmental covenant. Mr. Sweat has prepared a draft of the declaration of amendment to environmental covenant. Mr. Sweat noted this will clean the property title up. Mr. Sweat will forward the amendment to the DEP and to KU Resources for their approval as well. Mr. Sweat would like the amendment to be on the Legislative meeting agenda for approval. Lastly, Mr. Sweat reported he spent a lot of time investigating the workers compensation request. Mr. Sweat provided a long interpretation of how the municipality should be paying the workers compensation premiums for the volunteer fire departments. Mr. Sweat noted he will talk to the solicitor for Finleyville Borough and Mr. Lawson for more guidance.

Chairperson, Heather Daerr introduced Chris Koop from Energy Transfer systems. He is the local government and community affairs representative for the Sunoco Pipeline. He is the direct line of communication with the Township for the Sunoco Pipeline construction. Mr. Koop apologized to the Township residents and neighbors that have been affected by the inconvenience and closure of Patterson Road. Mr. Koop was happy to report construction crews were able to fully pull through the Patterson Road Bore. The construction crew can begin the process of pressure grouting the bore hole and under Patterson Road. This will ensure any cracks, fishers, or any type of sub straight has been properly remediated and is in stable condition. Mr. Koop noted a road repair plan has been submitted to Union Township. Mr. Koop stated the construction crew on the Sunoco Pipeline would like to get Patterson Road open as quickly as possible. Construction Manager Mike Phillips and Mr. Koop have reported to Township officials they will be paving the entire length of Patterson Road. Mr. Koop stated it does not fully compensate for the disruption and inconvenience however, it is his opinion it is a gesture of goodwill. Mr. Harshman stated he had received the road repair plan briefly. He would like to consult with Mr. Lowe from Harshman CE Group that has been overseeing this construction project. Mr. Rick Cotter delivered an explanation of the road repair plan.

Motion to allow Sunoco to start the road repair on the driveway access portion of Patterson Road with the conditional approval of Harshman CE Group.

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 question Mr. Lawson if the Board wished to further peruse water testing as previously discussed with Mr. Lowe from Harshman CE Group. Mr. Lawson reported he spoke to Mr. Golden from the Conservation District and he feels it wasn't necessary.

Mr. Rotosky: 525 Mingo Church Road, Finleyville Pa expressed his opinion regarding pressure grouting and waterways.

Agenda Items for Discussion:

The following items were on the agenda for discussion.

- A. Consider Resident Joe Ropusky Concerns Regarding EQT.
- B. Discuss six-month Trial Period of Police & Elrama VFC use of Garage Bay and Office Space.
- C. Consider Purchase of Lap Top for Acting Road Superintendent/ Planning Contractor & Firewall Protection.
- D. Approve/Deny Tuscany Estates Request to use Meeting Room on November 19, 2018 at 6:30 pm.
- E. Consider December 14, 2018 for Workshop Date with EQT for the Proposed use of Former Nike Site for Truck Staging Area. (NOTE: Union Twp. Planning Department Meeting is scheduled for 5:30 pm.)
- F. Finleyville Borough Request for Contribution of Workers Compensation Insurance.
- G. Consider Cancellation of Former Manager, Rob Balogh Bond.
- H. Consider December 21, 2018 for Staff & Supervisors Christmas Pot Luck.
- I. Discuss 2019 Meeting Schedules (Board of Supervisors & Planning Department)
- J. Consider Curry Request to Access 13 Mingo Circle for Removal of Personal Property.
- K. Consider Monongahela Library Request for \$3,000.00 Donation.
- L. Approve / Deny Union Township Budget Workshop Notice
- M. Discuss Scheduling a Project Briefing for the LSA Grant Opportunity.
- N. Discuss Expenditures for a Breakfast with Santa at Elrama Fire Hall in December, hosted by the Recreation Board.

O. Any Additional Items.

Agenda item A. Joe Raposky 155 Lobbs Run Road, Finleyville PA. Mr. Raposky expressed his concerns regarding EQT, well pad drilling and gas storage.

Agenda item B. Lenny Baily from the Elrama Volunteer Fire Company delivered a report to the Board of Supervisors regarding the past six-month activity and response to emergency calls within Union Township.

Motion to purchase a new lap top for Acting Road Superintendent / Planning Contractor and purchase of firewall protection in the amount of \$1,955.00.

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 Tuscan Estates request to use the meeting room on November 19, 2018 at 6:30 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.**

Agenda item E. Engineer Harshman stated Stephanie Paluda from EQT recently informed him, EQT will need to push this workshop date back to January.

Agenda item F. This agenda item will be continued on the Legislative meeting agenda.

Agenda item G. Solicitor Sweat recommended the cancellation of former Managers bond be cancelled after the 2018 DCED Audit is complete.

Motion to approve December 21, 2018 for staff and supervisor Christmas Pot Luck at 12:00 pm.

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 I. Interim Planning Department Director, Jarrod D'Amico asked the Board to consider bumping the Planning Department Meeting Back to start at 5:00 pm for 2019.

Agenda item J. Solicitor Sweat stated he sees no issue allowing the Curry's to access their property one last time on a specific date and time frame. Engineer Harshman question the Board regarding winterizing the property.

Agenda item K. This agenda item will be kept on the agenda for the Legislative Meeting.

Motion to approve the advertising of the Budget Workshop and proposed budget adoption notice.

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 scheduling Union Townships LSA project briefing on December 3, 2018. Rick Lawson, James Harshman and Heather Daerr will attend.

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.**

Agenda item N. This agenda item will be added to the Legislative meeting agenda.

Supervisor, Heather Daerr delivered a synopsis about the meeting she attended with Supervisor Lawson on Courtney Hill Road with PennDot officials. Mrs. Daerr publicly thanked Supervisor Richard Lawson for the time he spent on the Patterson Road/Sunoco issue.

Public Comment:

Chris Koop from the Sunoco Pipeline thanked the Union Township Board of Supervisors, Engineer and Police for their cooperation and quick response to the Patterson Road issue.

Motion to go to executive session at 9:01 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 Board of Supervisors returned from executive session at 10:14 pm and were back on record. Supervisor, Heather Daerr stated the Board discussed personnel issues.

Motion to adjourn at 10:15 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/Treasurer