

Union Township Board of Supervisors  
Legislative Meeting  
November 27, 2017  
7:00pm.

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-Etrama Road, Finleyville, PA. The pledge of allegiance was recited.

Board members in attendance by roll call vote were Paul Chasko, Charles Trax, Deborah Sargent, and Heather Daerr. Supervisor, Larry Spahr was absent.

Also in attendance, Robert Balogh-Manager, Andrew Sweat-Attorney, Nicole Dooley-Secretary, James Harshman-Engineer, and Jarrad D'Amico-Zoning/Code Enforcement Officer.

Public Comment on Agenda Items:

Hal Breinig: 44 Finley, Finleyville PA. Mr. Breinig commented about House Bill 270 LSA Gaming. Mr. Breinig thinks this is something our township manager should go after. In addition he noted to the Board of Supervisors there is another junkyard in the township off of Highland Avenue.

Frank Latorre: 7 Boyka Drive, Finleyville PA. Mr. Latorre expressed his concerns regarding Tomko. Mr. Latorre informed the Board of Supervisors Mr. Tomko is working prior to the 7:00am hour. Mr. Latorre expressed his concerns regarding issuing the month to month permit. Mr. Latorre also noted watering trucks are not operating on the Tomko Property and there is dust. Next, Mr. Latorre questioned the Board of Supervisors regarding the approval of a Napa credit card account at Agenda meeting on November 13, 2017. Mr. Latorre expressed his concerns regarding the individuals appointed to the various Township boards and their attendance at the bi-weekly meetings. Lastly, Mr. Latorre was concerned why payment was made to South West Regional Police Department on the November 2017 Expenditures list.

Motion to approve minutes for August 14, 2017 Non-Legislative meeting.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to approve minutes for August 28, 2017 Legislative meeting.

Motion by Heather Daerr, Second by Charles Trax

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

Motion to approve minutes for September 11, 2017 Special meeting.

Motion by Paul Chasko, Second by Heather Daerr

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

Motion to approve minutes for September 25, 2017 Marwood Lane Adoption.

Motion by Deborah Sargent, Second by Paul Chasko

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

Motion to approve minutes for September 25, 2017 Legislative meeting.

Motion by Paul Chasko, Second by Deborah Sargent



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

Motion to approve minutes for October 9, 2017 Non-Legislative meeting.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to approve minutes for October 23, 2017 Legislative meeting.

Motion by Paul Chasko, Second Heather Daerr

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

Motion to approve minutes for November 13, 2017 Non-Legislative meeting.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to approve payroll #23 dated November 3, 2017 in the amount of \$11,569.30 presented by the Manager subject to being true and correct.

Motion by Charles Trax, Second by Heather Daerr

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

Motion to approve payroll #24 dated November 24, 2017 in the amount of \$11,855.49 presented by the Manager subject to being true and correct.

Motion by Heather Daerr, Second by Charles Trax

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

Attorney, Andrew Sweat reported to the Board of Supervisors regarding the emergency motion filed by the Drusbasky attorney. He noted the DEP's general counsel directed the Union Township Board of Supervisors aggressively go after the sewerage issue on Mingo Circle. Concerns regarding the possible formation of black mold will be followed up by citations, penalties and any other necessary orders to rectify the situation immediately. The initial financial obligation will be placed upon Union Township. It will then be the responsibility of Union Township to recoup the expenses and cost from the individual land owners. An argument is scheduled in front of a judge in The Court of Common Pleas of Washington County, on Wednesday January 3, 2018 at 11:30am docket number 2017-2231. The next item on Mr. Sweats report was the Maher Duessel audit. Andrew noted Maher Duessel is working diligently on the audit. Mr. Sweat informed the Board of Supervisors auditors have about thirty three percent of the audit completed. Additional information was requested from Maher Duessel and those documents have been supplied to Mr. Sweat's office. Next, Mr. Sweat presented a request to the Board of Supervisors made by Mr. Tomko's attorney, Chris Coppula. Mr. Coppula informed Mr. Sweat's office that Tomko wants to move forward with their development plan. Mr. Coppula is asking for a workshop with the Board of Supervisors and the public. He requested is for the meeting to be as soon as possible. Discussion amongst the Board of Supervisors, attorney, manager and engineer ensued relating the Tomko Grading project.

Engineer, James Harshman informed the Board of Supervisors on the Mingo Circle Sewerage issue. Based on the directions from the DEP Mr. Harshman's group has three properties of substance they have been dealing with. He received information from the Washington County Sewerage Council the Broglio property is in compliance. A request for entry was received today from the Williams property. To date there is now a secure right of entry for both the Williams and Curry properties. Mr. Harshman is seeking a quote from Hapchuk to pump out the Curry and Williams sewerage tanks. After the tanks are pumped out a plumber would then be needed to inspect both the tanks and trace all drain lines. Once report is received on those tanks then recommendation can be made for the necessary upgrades to bring those sewerage systems up to compliance. Mr. Harshman noted a special meeting may be requested in order to

execute the necessary authorizations to perform the work to remedy the situation as it happens. Moving forward in his report, James Harshman advised the Board of Supervisors he has no reason to not recommend extending the Tomko grading permit contingent upon nuisance complaints regarding noise and dust are addressed and the proper earth work reports are obtained on a regular basis.

**Motion to add the Tomko extension to item P on this evening agenda.**

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

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

Pressing on in the Engineers report, Mr. Harshman explained Laura MacAulay has been working on a detailed design and budget for the repairs necessary to get Gilmore Road opened up. Mr. Harshman stated at the next meeting he will have a final report for the Boards review. Additional inactive topics were also briefly discussed. Those included the PA Small Water and Sewerage Program Grant and Garvin Road.

Manager, Robert Balogh asked the Chairperson for the right to reserve comment on certain agenda items instead of including those items in his report. He then requested for the Board of Supervisors to add item Q to the evening's agenda to approve and advertise the proposed 2018 budget.

**Motion to add item Q to the evening's agenda to approve and advertise the proposed 2018 budget.**

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

**Roll Call Vote: Mr. Chasko-NO, Mr. Trax-YES, Mrs. Sargent-YES, Mrs. Daerr-YES motion carried.**

The next item on Mr. Balogh's manager's report was to read into record a statement from accountant Frank Palermo at Palermo/Kissinger & Associates. Sent via e-mail Monday, November 20, 2017. Rob, I haven't thoroughly gone through your balance sheet however in the last month I have familiarized myself with some of Union Township's activity and a couple items have come up. Almost all Townships and Municipalities we are involved in use PLGIT accounts as savings and investing accounts however it appears as if Union Twp. has a significant number of accounts that appear to be used in daily accounting activities. When I began training Nicole it appeared as if most of your bank accounts in QuickBooks were reconciled through July or August so I do trust they were accurate however it appears as if accounts payable and receivables may not have been accurate as well as some of the other liability accounts as bills and invoices may have not been posted. I have not audited, reviewed, compiled or prepared any financials and the items are not red flags but just a couple items I have noticed when training Nicole. In addition Mr. Balogh noted a statement about PLGIT accounts being used for daily banking operations. When PLGIT accounts are used for operations there are fees assessed for each individual transaction. He also noted earlier statements made that the PLGIT accounts were used as investment tools and savings accounts are inaccurate. Daily banking operations were taking place in some of the PLGIT funds. Next, Mr. Balogh reported an update on the middle school property. It is the Ringgold School District business managers wish for the township to hold off on making formal decisions regarding the school property until the District has their reorganization meeting. Moving forward in his report, Mr. Balogh informed the Board of Supervisors a meeting date of December 14, 2017 at 6:00pm has been set for the Washington County Redevelopment Authority regarding the Elrama Chrome Shop public meeting. He reported this meeting was to have happened earlier this spring and no action was taken by former employee, Judy Taylor. Mr. Balogh expressed his report has ended however, on certain agenda items he will interject and give the Board additional needed information.

### New Business

Agenda items discussed under New Business included the following:

- A. Adoption of New Road Permit Procedures.
- B. Approval of Manager and Road Superintendent Letter of Recommendation.
- C. Approval to Lift Municipal Lien.
- D. Division of Foreign Fire Funds.
- E. Investigation into Mailings of the First 2 Township Newsletters
- F. Meeting Room Conference Microphone
- G. Address the Minute Book Situation.
- H. Approve/Deny Adoption of "Mini-Casino's" Resolution.
- I. Approve/Deny Applying for PA Small Water and Sewer Program.
- J. Mingo Circle Sewerage Situation
- K. Approve/Deny Advertisement of New Gas and Oil Ordinance.
- L. Approve/Deny EQM Road Bond Agreement for Gilmore/Saw Mill/Seneca
- M. PLGIT CD'S
- N. Adoption and Advertisement of 2018 Meeting Schedule.
- O. Issue Refund for Overpayment of Double Sewerage Collections
- P. Extension of Tomko Grading Permit
- Q. Approve and Advertise the Proposed 2018 Budget.

Motion to adopt the new road permits procedures as suggested by Engineer, James Harshman.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to approve the Manager and Road Superintendent letter of recommendation for new road crew hires.

Motion by Deborah Sargent, Second by Heather Daerr

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

Motion to approval to lift the Municipal Lien on the Tortorice property.

Motion by Deborah Sargent, Second by Charles Trax

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

Motion for the division of foreign fire funds in the amount of 66% to Elrama VFC and 34% to Finleyville VFD based on actual service call reports.

Motion by Deborah Sargent, Second by Charles Trax

Roll Call Vote: Mr. Chasko-NO, Mr. Trax-YES, Mrs. Sargent-YES, Mrs. Daerr-YES motion carried.

Motion to have Manager, Robert Balogh to investigate the mailings of the first two Union Township Newsletters.

Motion by Heather Daerr, Second by Deborah Sargent

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

Motion to authorize Mr. Balogh to purchase a meeting room microphone not to exceed \$1,000.00

Motion by Deborah Sargent, Second by Heather Daerr

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

With regards to agenda item G. Mr. Balogh showed the Board of Supervisors the last signed, sealed and bound minutes for Union Township were from May 9, 2016. From that point forward no signed or sealed minutes have been placed in the bound Minute book for Union Township. Mr. Balogh asked for a legal statement that can be added to the bottom of the pages for Minutes that we can reconstruct to bring Union Township to code. He noted the minutes that have not been bound can be printed. However, they are not able to be signed or sealed legally. Mr. Balogh asked Attorney, Andrew Sweat for legal recommendation

in order to produce the proper record for Union Township. Mr. Sweat noted additional research will have to be done surrounding the circumstance at hand.

**Motion to approve James Harshman and Rich Cleveland to apply for PA Small Water and Sewerage Grant program.**

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

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

**Motion to authorize the Solicitor to advertise the revised gas and oil ordinance.**

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

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

**Motion to approve the EQM Road Bond Agreement for Gilmore/Sawmill/Seneca.**

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

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

**Motion to liquidate the two PLGIT CD's upon maturation.**

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

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

**Motion to issue refund for overpayment of Double Sewerage collections to Jamie Williams in the amount of \$1,240.00**

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

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

**Motion to renew the month to month grading permit extension contingent upon the rectification of nuisance issues and better communication with respect to the geotechnical engineering observations.**

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

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

**Motion to approve and advertise the proposed 2018 budget.**

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

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

**Motion to approve the amendment to letter of demolition for Zoning/Code Enforcement.**

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

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

**Motion to approve the November 2017 expenditures in the amount of \$298,756.83.**

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

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

#### **Public Comment**

Rick Lawson McClelland Road, Finleyville PA. Mr. Lawson commented with regards to the fire departments. He is looking for encouragement for the companies to participate in safety training to take advantage of a 5% discount on SWIF policies. He also commented on the minute book situation. He also asked where the Oil and Gas Ordinance will be posted for review. Mr. Lawson also commented on the conference room microphone.

Hal Breinig: 44 Finley, Finleyville PA. Mr. Breinig commented about future Township development and the planning commission. Mr. Breinig also commented about previous employees and their inability to

perform their jobs. Hal also expressed concerns regarding Mr. Tomko and his compliance with any information supplied to the board regarding any of his projects.

Frank Latorre: 7 Boyka Drive, Finleyville, PA. Mr. Latorre gave thanks to Mrs. Lawson and Mrs. Daerr for refreshments donated for the meetings. Mr. Latorre expressed concerns regarding abandoned cars in Union Township. He also expressed concerns surrounding Tomko project and a possible upcoming workshop for the Tomko project moving forward. Mr. Latorre stated the public should be allowed to attend that workshop.


Kevin Daerr: 6187 Route 88, Finleyville, PA. Mr. Daerr asked what the capabilities of the projector located in the meeting room. He also expressed concerns regarding the recouping of cost incurred for the cleanup of mess and back log left from former employees. Mr. Daerr also questioned why previous auditors Cypher & Cypher did not catch any of the miss happenings?

Richard Lawson: Mr. Lawson also commented about the capabilities of the projector located in the meeting room.

Motion for adjournment at 9:30pm

Motion by Deborah Sargent, Second by Heather Daerr

Roll Call Vote: Mr. Chasko-YES, Mr. Taux-YES, Mrs. Sargent-YES, Mrs. Daerr-YES motion carried.

  
Nicole L. Dooley, Secretary