

Union Township Board of Supervisors
Legislative Meeting
November 28, 2018
6:30 pm.

The Union Township Board of Supervisors Legislative meeting was called to order by Chairperson, Heather Daerr at 6:30 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, and Heather Daerr. Supervisor, Deborah Sargent was absent.

Also, in attendance Michael Cruny-Attorney, Nicole Dooley-Secretary/Treasurer, Juan Carmen-Assistant Secretary-Treasurer, James Harshtman-Engineer, and Jarrod D'Amico-Zoning/Code Enforcement Officer.

Public Comment on Agenda Items:

No public comment was made.

Motion to approve minutes for September 12, 2018 Non-Legislative meeting.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Motion to approve minutes for October 24, 2018 Legislative meeting.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Motion to approve minutes for November 14, 2018 Non-Legislative meeting.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Motion to approve payroll number 22 dated November 5, 2018 in the amount of \$15,409.26 as presented by the Secretary-Treasurer subject to being true and correct.

Motion by Heather Daerr, Second by Paul Chasko

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

Motion carried.

Motion to approve payroll number 23 dated November 16, 2018 in the amount of \$11,885.02 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, Heather Daerr-YES.

Motion carried.

Attorney, Michael Cruny noted to the Board of Supervisors he would reserve the right to speak about agenda items as they were addressed.

Engineer, James Harshtman updated the Board of Supervisors on the site meeting he had at the Finleyville Airport. Mr. Harshtman stated his site meeting occurred on a rainy day. He noted there were recent concerns about some underdrains that were put in place during the repaving of the Airport runway. He

noted he was there observed them installed during in climate weather, he was happy to report there was no discharge of Stormwater coming from the underdrains. Moving forward, Mr. Harshman stated he also had conversations with Airport representatives about adding a few small detention ponds. He noted the Airport questioned construction specifications, Mr. Harshman stated he would be able to tell them what to build. Mr. Harshman stated he would be willing to donate a design if the Airport has volunteer efforts to implement the detention ponds. He would like to continue dialogue with Airport representatives at no cost. Mr. Harshman would also like to look at the implementing a Storm water management plan and the possibility of getting credits towards our MS4. Next, Mr. Harshman reported Mr. D'Amico is still following through on Code Enforcement action on the Airport pond, as well as the pond at Giant Eagle, Tuscany and The Shire. Next, Mr. Harshman reported APEX has volunteered to do the initial mowing and clearing of the Tuscany Estates pond and withhold billing the Township until the determination can be made where the funds would be coming from to pay for the invoice. Discussions ensued amongst the Board of Supervisors with the decision to table any offers from APEX until the escrow and bond situation is figured out. Moving forward, Mr. Harshman stated he received an email from Justin Stewart, the Geotech Engineer for the Tomko worksite. Mr. Harshman summarized Mr. Stewarts email stating there was concerns regarding Mr. Tomko following the Geotech Engineers recommendations. Mr. Stewart recommended Mr. Tomko stop all filling operations until they have a meeting to ensure the proper filling procedures are being followed. Mr. Harshman noted when he was at the Airport, he observed a fill area on Mr. Tomko's worksite where he noticed the proper equipment was not being used, instead of a sheepsfoot roller, they were using a regular drum roller. He noted there were also very large boulders rolled over the hillside not benched or keyed in. Mr. Harshman stated he forwarded that concern along with photographs to Mr. Stewart for him to follow up on. Mr. Harshman recommended the Zoning/ Code Enforcement Officer issue a notification letter to cease grading at the worksite until Mr. Stewart has a meeting with Mr. Tomko is up to speed with the Geotechnical recommendations. Mr. Harshman noted today he received compaction reports from October. Lastly, Mr. Harshman updated the Supervisors his office is still working thorough the final design development for the Overlook Sewerage project. He stated he would like to host an informational workshop for the beginning of 2019.

Unfinished Business

Agenda items under unfinished business included the following:

- A. Six Month Trial Period of Police & Elrama VFC use of Garage Bay and Office Space.
- B. EQT Update & Nike Site Proposed Staging Area.
- C. Update for Pinleyville Borough Request for Contribution of Workers Compensation Insurance.
- D. Approve/Deny Monongahela Area Library Request for \$3,000.00 Donation.
- E. Approve/Deny Date & Expenditures for Parks & Rec Breakfast with Santa at the Elrama VFC in the Amount of \$385.00 (\$60- Santa suit \$75- gift bag for Santa to hand out \$250- for food and supplies)
- F. Discuss Christmas Potluck Lunch.
- G. Update on Township Radios and Repeater Costs.
- H. Discuss Courtney Hill Road Next Steps Commercial/Industrial Development.

Agenda item A. The Board of Supervisors noted they had no concerns and believed the current situation is working well.

Agenda item B. Chairperson, Heather Daerr asked to keep this on the agenda until we receive a date from EQT.

Engineer Harshman noted he has informed EQT Engineers that Union Township has no interest in any waivers, reductions or modifications with Township road requirements. He stated the Township fully expects twenty-four-foot-wide cart ways with storm sewerage curbs, inlets etc. He noted he hasn't received a response from EQT.

Agenda item C. Mrs. Daerr asked to keep this item on the agenda until Solicitor Sweat can advise the Board at the next Non-Legislative meeting.

Motion to deny Monongahela Area Library donation request for \$3,000.00.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Motion to approve date & expenditures for Parks & Rec Breakfast with Santa at the Elrama VFC in the amount of \$385.00.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

New Business:

Agenda items under new business included the following:

- A. Approve/Deny Union Township Planning Department Recommendation for the Rezoning of Joe Lisanti-Mineral Beach Property Parcel from C1-Zoning to RD-Zoning Classification.
- B. Approve/Deny Union Township Declaration of Amendment to Environmental Covenant for 28 Davidson Avenue, Elrama PA. Parcel ID# 640-007-04-03-0014-00.
- C. Approve/Deny Legal Advertisement for Proposed Adoption 2019 Proposed Budget.
- D. Discuss Restoration of Gas & Electric for 13 Mingo Circle Property.
- E. Consider Joan Carmen Request for Paint.
- F. Discuss Maps & Tom Kelly Office Space.
- G. Discuss EQT Lease for Township Property Tax Parcel ID# 640-010-12-00-0030-00.
- H. Consider Township Action on 48 Davidson Avenue, Elrama.
- I. Approve/Deny US Municipal Purchase Order Request.
- J. Approve/Deny Purchase Order Request for Inspection of Sanitary Sewer Manhole and Line located at 5 Davidson Avenue in Elrama.
- K. Approve/Deny B&W Insurance Renewal.
- L. Approve/Deny Purchase Order 28-2018.
- M. Approve/Deny CBDG Grant Funding Options Due to WCCD by November 30, 2018.
- N. Approve/Deny Temporary Occupancy for 3968 Finleyville-Elrama Road Contingent Upon PCSA Eserow Agreement.
- O. Approve/Deny Tuscany Estates use of Meeting Room December 11, 2018 at 6:30 pm.
- P. Approve/Deny Advent Communications Quote #25845 for Laptop Hard Drive, 2 Server Hard Drives & Switch.
- Q. Any Additional Items.

Motion to approve December 19, 2018 at 6:00 pm to hold a rezoning hearing for the consideration of rezoning the Mineral Beach property from C1, C2 to RD Zoning Classification.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Motion to approve Solicitors Sweats office to advertise the hearing date and secure a stenographer for the rezoning hearing.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Motion to approve Union Township Declaration of Amendment to Environmental Covenant for 28 Davidson Avenue, Elrama PA. Parcel ID# 640-007-04-03-0014-00.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Motion to approve the legal advertisement for proposed adoption of the 2019 proposed budget.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Motion to approve Jarrod D'Amico to contact and secure a plumber to blow out the lines on 13 Mingo Circle not to exceed \$250.00

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Agenda item G. Keep on the agenda for the Non-Legislative meeting for advisement from Solicitor Sweat.

Motion to approve the Code Enforcement Officer & Police to act under the Township ordinance for nuisance vehicles and for Solicitor Sweats office to arrange another attempt to make service on the home owners of 48 Davidson Avenue.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Supervisor, Richard Lawson asked the professional services to keep track of the billing cost, so the Township can update and include those costs in the Municipal Lien filed against the property located at 48 Davidson Avenue in Elrama.

Motion to approve US Municipal Purchas order in the amount of \$717.30.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Agenda item J. The Board of Supervisors would like to have further discussions with Acting Road Superintendent, Tom Kelley before making any decisions.

Motion to approve Joan Carmen to take on insurance premium renewal research for three competitive bids and at the same time asking B&W to allow us a one-month period to do that if not allow Joan and Nicole to renew insurance coverage through B&W.

Motion by Heather Daerr, Second by Paul Chasko

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

Motion carried.

Motion to approve purchase order 28-2018 for \$625.00.

Motion by Heather Daerr, Second by Charles Trax

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

Motion carried.

Motion to approve CBDG funds to be used for bathroom upgrades at the Township building.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Agenda item N. Real Estate agent Cindy Rack, representing the homeowner of 3968 Finleyville-Elrama Road asked the Board for consideration in granting occupancy for the property address without a confirmed passing dye test from PCSA. Discussions amongst the Board, Engineer, Attorney and Zoning/Code Enforcement officer ensued. Ms. Rack stated the lender will not allow a temporary Occupancy Permit to be issued or any conditions be attached to the sale of the property. They were looking for a regular Occupancy Permit. The conclusion was met that Union Township must abide by their ordinances and a permanent Occupancy Permit cannot be issued for a property without a confirmed passing dye test from PCSA.

Motion to approve Tuscan Estates use of meeting room on December 11, 2018 at 6:30 pm.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Motion to approve Advent Communications quote # 25845.

Motion by Heather Daerr, Second by Richard Lawson

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

Motion carried.

Motion to contact Frank Palermo and discuss prices help expensing escrow and other billings.

Motion by Heather Daerr, Second by Paul Chasko

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

Motion carried.

Motion to approve expenditures for the month of November 2018 in the amount of \$162,288.96 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, Heather Daerr-YES.

Motion carried.

Public Comment:

Ivan Restosky: Mingo Church Road, Finleyville PA. Mr. Restosky question the Board of Supervisors and asked for explanation of what Union Township had forty-five days to respond to EQT about. Mr. Restosky expressed his concerns regarding EQT entering Garvin Road from Mingo Church Road.

Charlotte Colbert: Bunahasky Lane, Finleyville PA. Mrs. Colbert questioned the Board of Supervisors if the conditional use decision for the Garvin Well Pad will include any decision made about the use of Garvin Road.

Sandy Craig: 356 Garvin Road, Finleyville PA. Ms. Craig voiced her opinion regarding EQT entering Garvin Road from Mingo Church Road. Ms. Craig voiced her concerns about the possibility of EQT

having to take some of her property and possibly her home. Ms. Craig expressed her concerns regarding disrupting the ground to widen Garvin Road and mines located below the resident's properties. Ms. Craig expressed her opinion regarding EQT use of Garvin Road and it de-valuing the homes of the residents on that roadway.

Donna Welsh: 487 & 489 Mingo Church Road, Finleyville PA. Ms. Welsh expressed her concerns regarding EQT using Mingo Church Road and large trucks traveling on it and its deplorable state.

Jennifer Salmon: 281 Garvin Road, Finleyville PA. Mrs. Salmon asked the Board of Supervisors if EQT decides to come down Garvin Road from Mingo Church if there could be consideration for someone to contact the Ringgold School District to possibly move a bus stop location to ensure the children safety. Mrs. Salmon also asked the Board of Supervisors for consideration with set-back areas for the homes near the well pad, not just keeping the set-backs at the state minimum.

Charlotte Colbert: Banahasky Lane, Finleyville PA. Mrs. Colbert questioned the Board of Supervisors what happens when their leases are up with EQT.

Lenny Cheque: (No Address Given) Mr. Cheque expressed his opinion regarding EQT accessing Garvin Road from Mingo Church Road. Mr. Cheque questioned the Board of Supervisors if they had any say so in which way EQT accesses Garvin Road.

Jack Dugan: 345 Garvin Road, Finleyville PA. Mr. Dugan expressed his opinion regarding EQT accessing Garvin Road from Mingo Church Road.

Ivan Restosky: Mingo Church Road, Finleyville PA. Mr. Restosky question the Board of Supervisors where sewerage would go if the residents of Mingo Church and Garvin Road were to get public sewerage.

Bob Funtel 339 & 340 Garvin Road, Finleyville PA. Mr. Funtel questions the Board of Supervisors if they had a lease signed and if they are receiving royalty checks from EQT.

Donna Prokop: 294 Garvin Road, Finleyville PA. Mrs. Prokop requested adding workshop meeting dates to the Township Website.

Nancy Rostosky: Mingo Church Road, Finleyville PA. Mrs. Rostosky expressed her opinion regarding EQT accessing Garvin Road from Mingo Church Road and Union Township saving EQT money.

Jennifer Salmon: 281 Garvin Road, Finleyville PA. Mrs. Salmon expressed her opinion about the EQT Garvin Well pad. Mrs. Salmon expressed her support for the Union Township Board of Supervisor and praised them for questioning EQT and not just approving their conditional use approval for the Garvin without attaching conditions.

Charlotte Colbert: Banahasky Lane, Finleyville, PA. Mrs. Colbert expressed her sentiments for the Board of Supervisors. She asked the public attending the meeting to not attack the Board.

Kevin Daerr: (no address given) Mr. Daerr expressed his opinion regarding the Board of Supervisors, especially Mr. Lawson and how hard they work and are looking out for the best interest of the community members. Mr. Daerr expressed his opinion regarding EQT upgrading the lower end of Garvin Road.

George Powell: (no address given) Mr. Powell expressed his opinion about a statement made by an audience member about Supervisors being on EQT's payroll.

Supervisor, Heather Daerr stated she would like to go on record stating she would like a legal response made to Mr. Bob Funtel. Attorney, Michael Cumy stated he can provide the Township with a legal response.

Motion to go to executive session to discuss contract negotiations 9:18 pm.

Motion by Heather Daerr, Second by Paul Chasko

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

Motion carried.

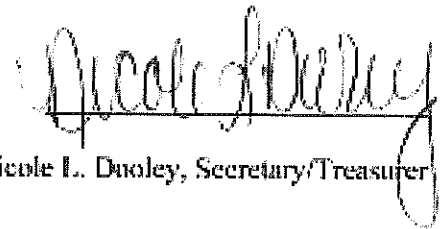
The Union Township Board of Supervisors returned from executive session at 9:55 pm and was back on record. Chairperson Daerr stated the Board discussed personnel, litigation and employee contracts.

Motion to adjourn.

Motion by Heather Daerr, Second by Paul Chasko

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

Motion carried.



Nicole L. Duoley, Secretary/Treasurer