

Board Approved: January 28, 2015

Union Township Board of Supervisors
Regular Board Meeting
December 14, 2015

The Board of Supervisors Meeting was called to order by Chairperson Larry Spahr at 7:05 p.m. 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 Stephen Parish, Larry Spahr, Charles Trax, Paul Chasko, Edward Frye. Mr. Carl DeiCas—Township Engineer attended as well as Mr. Furman who appeared on behalf of Makel & Associates as Township Solicitor.

Also in attendance, Debra Nigon—Secretary, Judy Taylor—Treasurer, Harold Ivery—Building Code Official, and Peter Grieb—Code Enforcement Officer.

Rick Kovach, representing Peters Creek Sanitary Authority (PCSA), and some individuals from the civil engineering firm of Lennon, Smith, Souleret were permitted by the Board to speak first in regard to the Board's approving the Waste Management subdivision which is on the agenda for approval at tonight's meeting. A portion of the property along Snee Road will be conveyed to PCSA. The Planning Commission has approved the subdivision. Mr. Ivery informed the Board that there was a planning packet at the Board table for each member for their review. The DEP has directed PCSA to obtain from Union Township approval on a non-building waiver, which waives the sewage planning facilities process. James Harshman explained that the DEP allows a non-building waiver for a utility use when there is no sewage generation. Washington County Sewage Council required that a letter be sent to the Township stating that they would not be building on that lot. Mr. Ivery noted that the signature block needed to be re-done and would follow-up.

Motion to approve the Waste Management Plan #1 Subdivision as presented by PCSA, Parcel A being conveyed to PCSA at 10.85 acres and, Parcel B, at 14.83 acres, remaining with Waste Management, subject to all fees being paid, for recording purposes only.

Motion by Steve Parish, Second by Paul Chasko

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-no. Motion carried.

Public Comment

Mr. Guido requested that use of the Board Room for the third Wednesday of each month at 7:00 p.m., January through June 2016.

Motion to approve use of the Township Building by Tuscan Estates HOA on the following dates: January 20, 2016; February 17, 2015; March 16, 2016; April 20, 2016; May 18, 2016; and June 15, 2016.

Motion by Paul Chasko, Second by Ed Frye

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

Ms. Stover asked about the Complaint filed by the Township against Quaker Engineering. Mr. Furman said that the developer was advised that if certain things are not completed, the Township would withdraw its Complaint. The developer has to get the sewer installed on

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Viarregio Way and provide a construction schedule. Mr. Furman also informed the residents that no wearing course is required on any of the roads until the development is complete.

Sargeant Pocsatko gave the police report. Sixty-three shifts were worked last month. There were 2 criminal arrests, 105 citations, 49 warnings, and 6 crashes in November 2015. Mr. Spahr asked officer if has noticed any abnormal or extraordinary drug activity in the Township. Sargeant Pocsatko said he reviews reports all the time and does not see anything new or different.

Mr. Mellor gave the road report. He informed the Board that he and the crew had worked with PennDot on a water problem on Airport Road, with the road crew assisting with excavation and labor. Other road work included the replacement of six street signs. There is an issue with College Street and Snee Road signs being stolen; however a different kind of sign could be ordered as a possible solution to guard against theft. McChain Road and Brownsville Road Extension signs have been replaced. The road crew communicates with the ambulance and police over missing signs, and have asked them to continue letting them know when they see a missing sign.

Mr. Ivery mentioned the situation on 3 Airport Road. The owner has until January 1 to get the chickens removed - 30 days to remove the, approximately, 100 chickens and 45 days to move the coop. There may be two Zoning Hearing Board hearings over this matter, one pursued by the owner and the other by the complainant.

Jamie Harshman addressed the Board in regard to what is going on at the Tomko site. The Township just received a final set of plans from KLH for the addition. In regard to the overall site, in November, DEP issued a compliance order. The Board has received a copy of this correspondence. In regard to the lack of a grading permit from the Township, Tomko needs to respond to our comments which were provided. Mr. Harshman is concerned about whether or not someone is overseeing the proper compaction of the soil and so forth. A follow-up is required so that the Township has proper oversight on the project and Mr. Harshman noted that these items fall under the Township's Grading Ordinance. Mr. Harshman guessed that perhaps Tomko has not responded to the comments supplied by the Township possibly because they are making changes. Mr. Harshman recently called the Washington Conservation District and learned that Tomko recently submitted development plans which they are beginning to review; so, the Township should soon be receiving applications for further development of the property. Mr. Harshman said that he has not recently asked about the rock hammers and blasting, but that at the last inspection which would have been either the end of October or beginning of November, it appeared to be quiet. Mr. Furman asked whether the Board wants Mr. Ivery and Mr. Grieb to prioritize bringing Tomko into compliance on the grading permit.

Mr. Harshman said that the Township should establish that the remediation/grading is being handled correctly. If Tomko is currently working on this, then they did not have a pre-app meeting first. One item of the Township's Site Plan Approval concerns a buffer and trees being planted. Mr. Mellor confirmed that he has noticed that Tomko did plant trees. Mr. Harshman asked for and received the Board's approval to schedule a pre-app or workshop with Tomko with their engineers. He will proceed with trying to coordinate that meeting and will

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let the Board know the date. He educated those attending on the Compliance Order which has to do with mining and the sale of gravel which is being excavated and sold. He will try to set up a meeting so that the Township can obtain an overview from Mr. Tomko about what the land owner is doing and intends to do and whether the proper permits have been obtained. He will coordinate that meeting with Mr. Grieb and Mr. Ivery.

Mr. Grieb will follow up with the resident on Stonechurch Road who was supposed to move various cars off the property to see how that is going. In regard to getting rid of trailers which are empty at the trailer park on Stonechurch Road, Mr. Ivery said that he did issue a citation about the dumpster. He further explained that, in the summer, some of those issues were starting to get into compliance but that it appears to have slipped back.

Mr. Mellor mentioned abandoned boats, cars, and about 10 units which appear to be inhabitable at the Stonechurch Road mobile home park. Per Mr. Ivery, the onus falls on the trailer park owner. Mr. Grieb estimated that there are about 12 or 13 occupied units of the 20 or 30 in the park. Some owners there are taking care of their units despite the many issues on the other properties. Mr. Ivery informed the Board that the owner of the mobile home park has been contacted in the past; however, there are legal issues concerning the owner just being responsible for the lot itself since the trailers are licensed vehicles that she does not own. Mr. Parish contributed that it is his belief that the County has to be contacted about removal of the mobile homes that are apparently abandoned. Mr. Furman invited Municipal Consulting Services to meet with him to go through the Ordinance so that a plan for dealing with the issues can be put in place before the next meeting. Mr. Spahr asked Mr. Furman to keep him informed as to what is going on so that they can get that situation handled and over with.

Mr. Parish mentioned a problem with gravel being strewn on Patterson Road from a gravel pipeline access road off of Patterson Road. He said the company should be informed that they cannot leave the gravel on the road. Mr. Banahasky mentioned that gravel from the access road is going into a catch basin as well. A requirement was suggested whereby an access road would need to be paved a portion back from where it adjoins the road to keep the gravel off the road.

There is also an issue with mud being left on the road due to the construction at the school. Mr. Ivery will discuss this with the Superintendent of the School. Also, a parent has complained about poor air quality at the school because of the construction. She believes the air quality is causing kids to get sick and that more kids are having breathing issues. Mr. Grieb reported the issue and will follow-up on it with the contractor to find out what type of air quality monitoring is being done or what type of monitoring the contractor intends to put in place. He will then touch base with administration of the school.

Mr. Parish mentioned a news story concerning a child's recent injury by a soccer goal. It was reported in today's news that 40 children across the country have been killed due to unanchored soccer posts which can be upset and tipped over. Mr. Parish suggested that we let the soccer association know about these statistics. Down the road something should be done to anchor the soccer posts down. Mr. Frye suggested discussing the issue with Jeff Lewis as they may already be working on the matter. Mr. Spahr asked Tom Mellor to send a

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letter to the Soccer Association to find out if they are aware of the issues with unanchored soccer posts and, if so, to ask what they are doing to ensure the safety of the children.

Motion to approve General Fund Bills as of December 14, 2015 in the sum of \$83,685.18 as presented by the Treasurer, subject to being true and correct.

Motion by Charles Trax, Second by Steve Parish

Roll call vote: Parish-yes-but abstaining from the bill on Finleyville Airport, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

Paul Chasko asked about the Ford F-550 truck. Mr. Parish informed the Board that he went to Woltz & Wind Ford and a 2015 diesel model is available. The price is in the range of \$45,600. Push-n-Pull quoted \$30,530 for the same equipment installed on the last new trucks ordered, for a combined total of approximately \$76,130 for a properly outfitted truck. If the Township were to order the truck and have it customized by Push-n-Pull, it could be ready in March or April.

Mr. Spahr announced to those present that four different budget meetings were held starting in the fall which is standard practice. In November, a proposed budget was approved which was a balanced budget which was balanced with no tax increase to residents. The Township has balanced the budget with no increase for approximately ten successive years.

Motion to adopt and approve the 2016 Budget as proposed and advertised.

Motion by Ed Frye, Second by Steve Parish

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

Steve Parish, Carl DeiCas and Mr. Parish met with Mr. Morgan of Morgan Excavating in regard to the invoice for the additional work which was not approved by the Township relating to installation of cross drains. Mr. Mellor informed the Board that, when he was discussing the cross drain installation with Morgan Excavating, he had said that if it meant that it would cost the Township more to have four inches of ground removed, that he and the road crew would remove the four inches themselves. This removal of soil was not to be done by Morgan Excavating if it would result in a change order or otherwise increase the paving cost to the Township. It was determined that the best way to handle it would be to pay for the materials only which were used that the Township would have had to purchase anyway. Ms. Taylor said that the Township paid him for the materials at the contract price per ton in place which includes overhead, and that he still wants the Township to pay additional overhead.

Motion to pay Morgan Excavating \$1889.16 that is owed to him and remove him from the bid list next year.

Motion by Ed Frye, Second by Charles Trax

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

Mr. Chasko updated the Board on the Airport Project. Mr. Tolan agreed to do the stump grinding in December and run the conditioner through it once after the stumps are removed and then come back in the spring and run the conditioner through again. Mr. Chasko visited the site today and Mr. Tolan is over half done with that work. Mr. Chasko recommended that the contractor be paid half of the full contract price in the sum of \$13,700.

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In regard to the Airport Inspection Report, Mr. Chasko reported that items 1 and 2 on the last inspection have been dealt with. However, EQT has done a survey of the area for a different purpose which shows the stakes located in different spots. If the EQT survey is correct, the area that needs the most work is on airport property. If that is the case, Finleyville Airport said it will clear out all of those trees at no cost to the Township. That would leave the Township with 6 to 8 problem trees for which Mr. DeiCas has been requested to seek a waiver by completing the appropriate FAA form. Mr. Gries asked whether a grading permit would be needed to push the brush together and burn it. He was informed to bunch the brush together in smaller piles so that there is no violation of the burning ordinance. Tom Mellor and Paul Chasko identified the trees at issue this morning.

Mr. Chasko said that another issue confronting the Board is where the property line lies at the back of the Karas property. Mr. DeiCas said that the only way to know for sure would be to get a survey. This being the case, he will pursue the waiver also to save this cost to the Township. The waiver is a one page form. Mr. DeiCas will call John Logan and see whether a waiver is a option since the Primary and Approach areas have been addressed.

Mr. Gries said that he would like to put in place marble markers to mark the property line instead of just the steel posts.

Motion to pay Mr. Tolan for 50% of the total project on Section A of the Tree Hazard area in the sum of \$6850.00.

Motion by Paul Chasko, Second by Ed Frye

Roll call vote: Parish-abstain , Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

Chris Furman asked the Board to make a decision regarding terms in the WESA sewage collection contract so that the contract can be completed. One item outstanding is whether the Township wants the Townhop to collect 1.5% from the customer and WESA to collect an additional 1.5% from the customer or whether it wishes to stay with the way it is currently written into the contract which may have been a misinterpretation – with 1.5% going to the Township and then paid out to WESA. If this was not the intention of the Board, then revisions to the contract are necessary. WESA will handle delinquent billing but the Township will handle liening properties if that becomes necessary which the Township solicitor said he could do for less expense.

Motion to modify the last version of the WESA Elrama Sewerage Collection Contract, so that the Township retains it's current 1.5% on delinquencies with WESA to be paid by the customer 1.5% on the gross amount delinquent at 60 days.

Motion by Charles Trax, Second by Ed Frye

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

Mr. Furman said that the contract still contains references to the separate Collection Agreement which was decided to be eliminated. He will make this change and handle getting those references to a separate Collection Agreement removed as well so that a final agreement can go before the Board for approval and signature.

The Treasurer explained that not much time is remaining. Jordan's contract goes to December 31st and WESA will need to begin billing in early January. She and Paula at WESA will need to meet to get the billing system ready and the Township needs to know from Jordan what the final outstanding balance will be and when they will end collections. Mr. Furman will contact Jordan Tax Service. His opinion was that Jordan Tax Service should be allowed to continue billing in December and collecting in January if that allows time for Union Township staff and WESA staff to get organized. Ed Frye asked for a figure on what the Township's final bill will be at contract termination.

Ed Frye commented that a letter needs to get out to the residents letting them know that in January they will be paying Jordan for December bills or however it works out to be so that they know what is happening and who to pay. Ms. Taylor will ask Jordan what the due date will be on Jordan's December bill and what WESA's due date will be on the bills they will send out in January.

Ed Frye said he met with Washington County Redevelopment Authority who has completed the Phase 1 Assessment on the Elrama Chrome Factory property in regard to its usability as a park area. The findings were very good and, little to no remediation is necessary to make it useful for recreational purposes. All that is needed is paperwork which must be completed for the DEP. The solicitor will need to research Act 3 in regard to environmental issues in the future. As background, the DEP took 13 tri-axies of soil in the initial clean-up of the property years ago, so the land is stripped and clean. If we get a positive on what is contained in Act 3, then the Township will be removed from any liability. The Redevelopment Authority will then help us come up with a plan for the park and track down grant funding to pay for it. Ed Frye said he gave all his research to Paul Chasko including the Phase I Environmental Site Assessment which is a ¾ inch bound documented dated November 2015 which is a result of the Redevelopment Authority's recent assessment. Chris Furman will determine what laws are specifically being referred to by the Redevelopment Authority in terms of Act 3.

Ms. Taylor requested a quote for the proposed financing of the truck purchase. Steve Parish inquired why financing is necessary. The Treasurer's explanation was that, according to the budget, the intention was to finance and financing was included in the beginning fund balance which was incorporated into the spending plan. Also, the last loan for financing we received was at 2.8% which is a pretty low rate of interest. The disadvantage is that the cash will not be available for some other allocation if necessary.

In terms of the decision to purchase the truck, Mr. Parish informed a member of the audience that the bed is rusted out on the current truck which has logged 90,000 miles. Also, Ford is changing over to all aluminum cabs and the vehicle may cost a lot more next year. Larry Spahr commented that, at a time years ago when the Township was in financial difficulty, the Township faced a severe storm and the equipment began to break down. At that time, the Township was fortunate that the Army Corps of Engineers was in the area and offered to help. Since then, annually, the Board began building up its truck fleet so that reliable equipment is present, operable, and capable of removing the snow.

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Motion to purchase outright a Ford-F550 4x4 chassis diesel engine truck from Woltz & Wind Ford at the Costars Pricing (Contract 25-032) in the sum of \$45,600 per their quote dated November 16, 2015.

Motion by Steve Parish, Second by Charles Trax

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

Motion to purchase from Push-n-Pull the stainless steel bed, snow plow, spreader, and other equipment per their quote dated November 23, 2015 in the sum of \$30,538 with the provided quote at Shacog Pricing .

Motion by Steve Parish, Second by Charles Trax

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

The Treasurer informed the Board that Morgan Benefits advised the Township that they believed better pricing could be obtained from another dental insurance carrier. The pricing has been provided to the Board.

Motion to change the non union staff's dental insurance plan to a United Concordia Preferred plan, effective January 1, 2016.

Motion by Ed Frye, Second by Paul Chasko

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

In regard to the LSA grant applications submitted by the Township, Mr. DeiCas presented the Township's LSA applications and the Township is awaiting the committee's grant funding decisions. It was noted that Union Township has been turned down multiple times for the Union Valley Water Project which was even modified so that it could get just one bridge replaced. The Township also applied for grant funding for the Overlook Street area sewer project.

Regarding Brownsville Park, Steve Parish mentioned that he would not like to see the baseball field removed since he spoke to a couple of girls who are looking for places to play softball, etc. Also, he foresees that other groups may be wanting to use the field.

Reinvestment of the Township's Certificates of Deposit was discussed. On Wednesday of this week there may be a raise in the fund rates in the Federal Reserve. It was determined that the Treasurer hold it for a week to see if a rate can be obtained better than the 1% the Township is being offered. If there is no change, it can be reinvested at 1%.

Motion to approve transfer from the Impact Fee Account to the General Fund in the sum of \$220,000 per the 2015 Budget.

Motion by Ed Frye, Second by Paul Chasko

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

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Motion to advertise the Reorganization Meetings: Union Township Board of Supervisors to be held on January 4, 2016 at 7:00 p.m., the Reorganization Meeting of the Board of Auditors on January 5, 2016, at a time to be determined, and the first Regular Board meeting of the year on January 11, 2016 at 7:00 p.m.

Motion by Paul Chasko, Second by Ed Frye

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

Motion to keep the millage rate at 12 mills for 2016.

Motion by Steve Parish, Second by Ed Frye

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

It was noted that the Township's cap is 14 mills for General Fund purposes since it is a Second Class Township. Mr. Spahr noted that the narrow margin between the cap and the current millage rate is another reason why the Township had to get spending back on track.

Motion to re-enact Ordinance #1-2007 instituting a ½% Realty Transfer for 2016.

Motion by Steve Parish, Second by Charles Trax

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

Motion to re-enact the Mechanical and Electronic Devices Tax for 2016

Motion by Paul Chasko, Second by Ed Frye

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

The Mechanical and Electronics Devices tax generates currently about \$400 to the Township.

Motion to modify the Arbor Tree Service Contract date, extending work through June 2016.

Motion by Paul Chasko, Second by Ed Frye

Roll call vote: Parish-abstain, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

The Watters Subdivision was not ready for review and approval by the Board.

Motion to return to EQT their escrow for Patterson Road in the sum of \$2,508.92 which is remaining in their escrow account.

Motion by Charles Trax, Second by Ed Frye

Roll call vote: Parish-no, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

There was a crack in Patterson Road which was noticed by some Supervisors. The crack is not major damage and could be determined to be normal wear and tear.

A suggestion was made by Mr. Spahr to cancel the December 28 regular meeting due to its proximity to the Christmas and New Year's holidays.

Motion to cancel the meeting which would normally have been held on December 28 due to the 2015 holiday schedule.

Motion by Charles Trax, Second by Ed Frye

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

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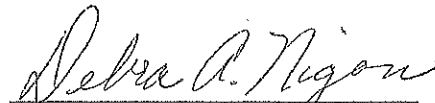
With the last meeting of the year being cancelled, Mr. Spahr made comments to honor the service of Ed Frye and Steve Parish who will not be continuing on the Board in 2016. Mr. Spahr acknowledged the service of Mr. Parish who has served for thirty years and stated that the residents of Union Township owe him a debt of gratitude for his service over this time. Mr. Spahr also commended Mr. Ed Frye for offering his time to the Township.

Mr. Parish offered to help out the Board in any way as they move forward.

Motion to adjourn at 8:56 p.m.

Motion by Steve Parish, Second by Paul Chasko

Roll call vote: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.


Debra A. Nigon, Secretary

