

**Union Township Board of Supervisors
Public Meeting
September 8, 2021 @ 5:00 p.m.**

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 5:00 p.m.

Pledge of Allegiance

Proof of Publication confirmed

Moment of Prayer by Pastor Ken

Attendees at meeting were: Heather Daerr, Chairperson; Charles Trax, Vice Chairman; Richard Lawson, Supervisor/ Treasurer; Hal D. Breinig, Supervisor/Roadmaster; David A. Esken, Supervisor/Roadmaster

Also, in attendance were: Roberta Singer, Secretary/Ass't. Treasurer; Karen Brown, Administration; Terri Gladus, Township Adm.; Gary Sweat, Solicitor, Sweat Law Offices; Jamie Harshman, Engineer – Harshman CE Group, LLC; Sean O'Dell, Engineer – Harshman CE Group, LLC; Officer John Toth – City of Monongahela Police Department

Public Comment:

Linda Evans Boren – 22 Parkvue Drive – Meeting times should be moved. 4:00 p.m. and 5:00 p.m. are too early for persons who work to attend. Hardship for residents who work. And with Facebook streaming, they don't have the opportunity to respond or comment. Also commented upon the number of lawsuits/litigation and the funds for attorney's fees. Totally unacceptable for amounts of money being sent – it is obscene. Union Township taxpayers cannot bear the burden with lawsuits brought on due to poor decision making. The buck stops with the 5 of you Supervisors. No expenditures approved without your vote. If it were your personal checkbooks, would you be making the same decisions.

Charles Wilson – 316 Stone Church Road – Supervisors have fiduciary responsibility and to spend as little money as possible – Mr. Wilson served 3 years back in 2005. Their goal back then was to not spend money and they had over \$700,000 up from prior years – they turned the financial position of the Township around in 3 years he was on the Board by over \$800,000.00. He feels the members of this Board should have obligation and is this the best way to spend the taxpayer money. Possibly consider moving meetings back to 7:00 p.m. so residents can attend meetings.

Michalle Dupree – 6178 State Route 88 – She has had her 4th Appeal with Office of Open Records – she is insisting she is not getting the records she has asked for – specifically reimbursements to Board Supervisors. Supervisors who have seats on other Boards should relinquish same. Failed to keep adequate records. And stated

about Board members sitting on multiple boards. Also spoke about Mr. Breinig being paid as Roadmaster and still having laid off road crew members. What are the plans for the winter with only 2 road crew?

Janet Hollingsworth – 69 Hobbitt Lane – We need to get a list together of all the business in the area who have AED's. The community should come together and do things as a community – i.e., yard sale, flea market. Ms. Hollingsworth was advised that the community held a yard sale / flea market in 2019 for the community.

George Powell – Finleyville Elrama Road – yes the legal fees are high but the fees are put into Cardox Road - up because of lawsuits initiated by others – not the Supervisors. Also, please do not say “the residents feel that . . .” Speak for yourself and not for me.

Executive Sessions: None

Engineer's Report - will comment on items as they come up during the meeting.

Police Department Report – Officer Toth read his report.

Chairman's Report – nothing to report at present.

The following reports were supplied to the Supervisors as well:

Animal Control

Building Code Official

Code / Zoning

Road Crew Activities

Overlook Sewage

GIS / LGA Intern Summary / Progress – Ms. Gladus commented on what she has been working on and the status of the various projects she has going on at this time.

Solicitor's Report - will comment on items as they come up during the meeting.

Mr. Sweat also gave comments regarding legal fees as brought up by Ms.

Evans-Boren. Mr. Sweat advised that a 75-page opinion was issued by Judge Weigand. A lot of unwarranted & unnecessary litigation. Mr. Sweat stated that 80% of the legal fees are from the Cardox Road litigation. Protecting this Township and fiscally responsible. Run their accounts through a CPA. This Board deserves more credit than I hear in comment section. There are a lot of legal issues that you are not aware of and don't understand.

Chairman's Report – Spoke regarding Right to Know comment. Approximately 80-90 throughout the year so far. Extreme overload on staff and the amount of time is exorbitant. Mr. Lawson was given authority to purchase Township vehicle at a saving of almost \$50,000.00. Copies of all checks and receipts regarding this transaction were presented to resident requesting same.

Mr. Lawson also made statement regarding purchasing of vehicle and how auction process works. It is not money in Rick's pocket – he pays upfront and gets reimbursed. There are no secrets here.

Mr. Breinig also made statement regarding getting weekly paycheck. I punch time clock and get paid accordingly.

Unfinished Business – Vacancies – None

Motion to table minutes from August 11, 2021, public meeting.

Motion: Daerr

Second: Trax

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken – yes

Motion Tabled

Minutes were tabled as the Supervisors had not read them as of this date.

Minutes were tabled as the Supervisors had not read them as of this date.

Motion to table minutes from August 25, 2021, special meeting.

Motion: Daerr

Second: Trax

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken – yes

Motion Tabled

Minutes were tabled as the Supervisors had not read them as of this date.

Motion to approve repair of 2016 Ford F550 (air conditioning recharging system) at Behanna Auto for the cost of \$1,817.04.

Motion: Breinig

Second: Lawson

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken – yes

Motion Carried

Motion to approve draft of Newsletter for distribution to residents.

Motion: Lawson

Second: Breinig

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken – yes

Motion Carried

Motion to approve Declaration of Disaster Emergency.

Motion: Daerr

Second: Breinig

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken – yes

Motion Carried

Motion to approve awarding the 6917 Spruce Street Drainage Plan Project to the lowest responsible bidder based on Engineer's recommendation, conditioned upon obtaining the required easements.

Motion: Daerr

Second: Lawson

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken – yes

Motion Carried

Motion to table Resolution No. 11 concerning the Board of Supervisor's decision to open Cardox Road and to complete the Road Improvement Project.

Motion: Daerr

Second: Breinig

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken – yes

Motion tabled

Motion to approve Emergency Repairs for the Coal Bluff Drainage Project; this repair is estimated by the Engineer to cost \$82,409.50 for a total project cost of \$314,315.25 and is due to the excessive damage caused by the remnants of Hurricane Ida that occurred to Coal Bluff Road. These Emergency Repairs are required to address safety concerns in order to open the road for through traffic, pursuant to Section 3102 (h) (1) of the Second-Class Township Code.

Motion: Daerr

Second: Lawson

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken – yes

Motion Carried

Discussion held regarding emergency preparedness and purchasing additional signage for roads, etc. Extra horses to block roads, extra "Road Closed" signs, etc. Also have the signs & horses marked/identified with reflective tape, etc. To be placed on next Agenda for approval.

Discussion held regarding PulsePoint update. Mr. Smida and Ms. Gladus to meet with Washington County Commissioners regarding instituting PulsePoint in Washington County and the necessary steps to accomplish this task.

Discussion regarding purchasing mine subsidence insurance for the Township Building and Shop. Currently, we are not covered and have received applications to complete for quote on same.

Discussion regarding donations of funds to Township organizations. We do not feel it is proper to donate taxpayer's money to various charities. If you want to donate personally, that is totally your decision but we will not donate your money for anything specific.

Discussion about meeting times and changing same. We will leave as is for right now but will possibly consider change at the beginning of 2022. Possibly moving to 6:00 p.m. but 7:00 p.m. is a late hour to start business and creates a long day for all involved.

Discussion regarding 30" pipe found near 4042 Finleyville Elrama Road. Not sure where it starts and possible fixes to plug up at Barna property (4042 Finleyville Elrama Rd). Mr. & Mrs. Barna spoke regarding "human fecal matter" running through property and what it like to have been running through property and not knowing where it is coming from. Mrs. Barna requested that people stop pulling into driveway and stop taking pictures so they can research on their own what is happening. Curiosity is out of

control. Not a community park, not a side show, 2 huge dogs who go crazy so everyone please just stay away from our house.

Discussion of fall soccer league and possible relocation of field to Lawson property on McClelland Road. Will need to get pricing on Port-a-Potty and Gary Sweat to look into liability issues for the soccer league and to draft Lease for property rental.

Motion to Approve Payroll dated September 3, 2021, in the amount of \$9,758.13 which consists of 1 Administrative, 1 Township Adm., 2 Road Crew and 1 Road Master.

Motion: Daerr

Second: Trax

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – abstain Esken – yes

Motion Carried

Mr. Breinig abstained because he is working and getting paid.

Motion for Bill Pay list for the General Account in the amount of \$22,015.93.

Motion: Daerr

Second: Lawson

Roll Call: Daerr—yes Trax—yes Lawson—yes Breinig—yes Esken—yes

Motion Carried

Motion for Bill Pay list for the Elrama Sewage Account in the amount of \$121.61.

Motion: Daerr

Second: Breinig

Roll Call: Daerr—yes Trax—yes Lawson—yes Breinig—yes Esken—yes

Motion Carried

Motion for Bill Pay list for the Escrow Account in the amount of \$156.00.

Motion: Lawson

Second: Breinig

Roll Call: Daerr—yes Trax—yes Lawson—yes Breinig—yes Esken—yes

Motion Carried

Correspondence: None

Public Comments:

Linda Evans Boren – 22 Parkvue Drive – respond to comments made in response to public comments. Ms. Dupree stated about her Right to Know – truck purchase – if between \$10,000 & \$20,000, you must have 3 bids. She will check on whether that is ok if Costar approved. Regarding Cardox Road – reading minutes and Mr. Cruny and easements, all easements were not secured. PCSA – I attended meetings and there are 4 members and all support changing by-laws – PCSA wrote extensive letter changing by-laws. Agree with Mr. Lawson regarding emergency preparedness. 2 Road crew members are insufficient. Mr. Silvestri stated we needed 5 members. I also agree that we should not be giving public money as donations. Thanks to Michalle Dupree raised almost \$3,000 for Veterans Banners to get repaired last year. Check was given to Legion and her and her family did that on its own. I don't think that

residents asking about monies being spent on litigation and do not budget over \$300,00 for Solicitor per year. There are a litany of lawsuits and we are paying for them. I should not be scolded or humiliated for asking questions. You all work for us the taxpayers.

Mr. Lawson made statement regarding thoughts about lawsuits. I will fight for the Township's right to be represented. Does not matter of how many road crews – it matters what they do. We are doing the best we can and are doing a good job.

Ms. Daerr stated that everyone has rights in this room to speak. They are permitted to say whatever they feel is necessary. Sewage projects will get completed. Parks will get updated.

Michalle Dupree – 6178 State Route 88 – Excuses for lack of transparency just keep coming. Regarding reimbursements – the 2019 audit is not even completed yet. Not common practice to make purchases and get reimbursements without keeping adequate records. There would not be so many Rights to Knows if transparency is being considered. There is a failure to maintain adequate records and maybe an auditor should be brought in to see what is going on. Not even sure about reimbursements because Township could not provide bill pay lists. Tired of fighting and paying for attorneys with my tax dollars.

Janet Hollingsworth – 69 Boyka Drive – Meeting have been more light and less angry. Positive for Board. It is true that more persons would come if the times of meetings were adjusted. Not a fair statement that no more persons would come if times were moved.

Charlie Wilson – 316 Stone Church Road – You guys really ticked me off. I sat on for 3 years and kept this Township out of bankruptcy. When I left in 2008, had almost money in reserve fund that we collected in a year. Don't ask me what we were doing. Cutting budgets as slim as we could. Don't tell me and ask questions about what we were doing. No money to pay a police department at that time.

Residents all started speaking at one time. Mrs. Barna spoke up and said that if there was all this money, why weren't you helping us then. Mr. Barna stated to quit bashing the past. Move on and live in the current.

Mr. Wilson spoke again about what we are spending money on? Why is Township trying to get out of contracts? Why were there meetings with attorneys and there were to be no attorneys present.

Ms. Daerr stated that there are legal matters being spoke of and we are not permitted to comment on anything legal.

Kevin Daerr – 6187 State Route 88 – Do not appreciate tone, yelling and hostility from last person at this podium. We must show respect. Also, commented upon mapping and what is happening and what can be placed on those maps? Ms. Gladus answered Mr. Daerr and answered questions about defibrillators and would it be possible to put on

a map where they are located. Can be put together with no problem. Thanking the Board and Mr. Esken for being a part of the solution and putting persons in place to be able to bring specific items to the Township. Also spoke about Mr. Lawson and his ability to bring things to the Township on his own time and helping out and the continuous bashing and I would like to thank you for what you do for the Township.

Motion to go into Executive Session at 7:30 p.m.

Motion: Daerr

Second: Trax

Roll Call: Daerr—yes Trax—yes Lawson—yes Breinig—yes Esken—yes

Motion Carried

Supervisors returned at 7:50 p.m. Discussed personnel and litigation. No decisions were made.

Motion to Adjourn @ 7:50 p.m.

Motion: Daerr

Second: Lawson

Roll Call: Daerr – yes Trax – yes Lawson – yes Breinig – yes Esken - yes

Motion Carried


ROBERTA J. SINGER, Secretary