

Union Township Board of Supervisors
Special Meeting
February 3, 2022
5:00 pm

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

Pledge of Allegiance was recited.

Attendees at the meeting were: Charles Trax, Vice Chairman/Roadmaster; Richard Lawson, Supervisor/Treasurer; David A. Esken, Supervisor/Roadmaster; Michalle Dupree, Supervisor/Roadmaster.

Absent: Heather Daerr

Also, in attendance were: Roberta Singer, Secretary/Ass't Treasurer

Proof of Publication Confirmed

Public Comment:

Kevin Daerr – 6187 State Route 88, Finleyville, PA 15332
I have Right to Know to turn over to Ms. Singer requesting any document or manual referred to at the January 26, 2022, meeting by Ms. Dupree involving any policy or clause involving nepotism in Union Township. I would like exact copy that she is referring to. An exact copy of what she is/was referring to.

Motion to reappoint Kevin Daerr to the Zoning Hearing Board for a one-year term to expire 12/31/2022.

Motion: Trax

Second: Esken

Deliberation: Ms. Dupree questioned if Mr. Daerr has turned in his Financial Interest Statement yet. Ms. Singer responded no and that they are not due until May 1, 2022.

Roll: Daerr: absent Trax: yes Lawson: yes Esken: yes Dupree: no

Motion Carried

Motion to reappoint Don Fincham to the Zoning Hearing Board for a two-year term to expire 12/31/2023.

Motion: Trax

Second: Esken

Deliberation: Ms. Dupree questioned if Mr. Fincham has turned in his Financial Interest Statements. Asked for a copy to be provided to her. Ms. Dupree stated that the Ethics

Law states they must have it in 10 days prior. Supervisors were advised by Ms. Singer that the forms have not been turned in as of this date.

Roll: Daerr: absent Trax: yes Lawson: yes Esken: yes Dupree: no

Motion Carried

Motion to appoint George Powell to the Zoning Hearing Board for a three-year term to expire 12/31/2024.

Motion: Trax

Second: Lawson

Deliberation: Ms. Dupree questioned if Mr. Powell has turned in his Financial Interest Statement yet. Ms. Singer responded no and that they are not due until May 1, 2022. They were mailed out the 3rd week of January. Ms. Dupree wanted to verify if we have received Mr. Powell's Statement of Financial Interest Statement yet.

Roll: Daerr: absent Trax: yes Lawson: yes Esken: yes Dupree: no

Motion Carried

No Public Comments

Remarks:

Ms. Dupree made a statement that the Secretary apologized for not having the reappointments and that it was not the Secretary's job to do so. It is the responsibility of the Zoning Hearing Board Chairman to notify the Township of any vacancy on that Board and I felt bad that she apologized but it was not her responsibility.

I would also like to state for the record that under the MPC (Municipal Planning Code), that no member of the Zoning Hearing Board can be appointed or employed by the Township in any other way. This has not happened in that way for the last 3 years. For the last 3 years, there was somebody on that Board as well as another Board in the community. I am concerned because one of the members of the Board will have to vacate his seat if he chooses employment here. I want this stated for the record. Mr. Trax questioned who she was talking about and Ms. Dupree stated that Mr. Fincham put his application in for employment here and he is on the Board so if he chose to be employed, he would have to resign. Ms. Singer stated that Mr. Fincham was not offered employment. She wanted to clarify that if he were offered employment, he would have to resign from that seat. Mr. Trax stated that her statements were duly noted.

Larry Spahr – 181 McChain Road – what was the purpose / why was it necessary to hold this meeting. If we were following the MPC and requirements for Zoning Hearing Board appointee, every year one member vacates and we must fill that seat. In prior years, we have proper rotation.

Mr. Trax stated that the prior rotation was not documented and we needed to have this meeting bring us up to par.

Mr. Spahr questions that when Zoning Hearing Board convened, if there was no evidence of anybody being appointed, how were the hearing held legally. Mr. Spahr stated that appointments back when he was on the Board, everything was documented in the minutes. Mr. Trax explained that we had nothing to go on or to verify. Mr. Spahr questioned whether prior hearings were legal.

Ms. Dupree explained that Mr. Fincham was appointed to finish out the term of Shanna Garrity (sic). When her term was up, nobody was notified and upon my review of the last 4 or 5 years of meeting minutes there was no reappointments other than Mr. Daerr. It was explained that Ms. Garrett resigned from her position prior to her term being expired.

Mr. Spahr was again questioning about legality of "quasi-judicial hearings" without appropriate authority.

Kevin Daerr – 6187 State Route 88 – could it be possible that the hearings were held legally and within the boundaries of the law.

Ms. Dupree stated that being you were on the Zoning Hearing Board and the Peters Creek Sanitary Authority, it is possible that some were and some were not.

Motion to adjourn meeting at 5:14 pm

Motion: Esken

Second: Lawson

Deliberation: None

Roll: Daerr: yes Trax: yes Lawson: yes Esken: yes Dupree: yes

Motion Carried


ROBERTA J. SINGER