

**BOARD OF SUPERVISORS
PUBLIC MEETING MINUTES**

March 9, 2022

5:30 p.m.

Meeting was called to order my Chairperson Heather Daerr at 5:30 pm.

Pledge of Allegiance was recited.

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

Also, in attendance were: Roberta Singer, Secretary/Ass't Treasurer; Terri Gladus, Project Manager; Gary Sweat, Solicitor, and Sarah Scott Esq., Sweat Law Offices; Sean O'Dell, Engineer, Harshman CE Group, LLC; Frank Palermo, Palermo/Kissinger & Associates; Officer Taylor, City of Monongahela Police Department.

Proof of Publication was confirmed

Moment of Prayer by Pastor Al

Public Comment

Jacob Calabrese – 206 Lobbs Run Road – regarding Sarah Well Pad. Encouraging Board to hear more testimony regarding Sarah Well Pad. Statements from last meeting are concerning such as water assurances, those of us on natural sources, noise concerns, run off and flooding potential. Also mentioned concerns regarding financial state of the Township, and we need financial stability in this Township and impact fees for our community.

Darla Savko – 68 Aber Road -Quality of Life Ordinance – Promote health, safety, and general welfare of this Township by helping to create a clean environment that will improve the quality of life of its residents. We should postpone the vote of this permit until we have adequate safety procedures and plans and how to handle responses.

Linda Evans Boren – 22 Parkview Drive – Regarding Right to Know Request of November 29, 2021, and was granted a portion of the request by Office of Open Records. Wants to know when she will be granted copies of the \$56,160.00 of taxpayer monies on Braebender Cox (a republican marketing company) and CSI Corporate Investigators. Madam Chairman, can you please explain how Braebender Cox and CSI Investigations benefitted me and the taxpayers of Union Township. Also questioned Banahasky condemnation and funds relating to same.

Ms. Daerr stated that is a legal question and I am going to defer to the Board as we have discussed that at length in the past.

Todd Jones – will speak at a later time.

Dennis Eicker -3044 Shinebauck Road, Finleyville, PA 15332 – Genuine concern about the well pad and has there been any consideration. Getting runover with water and would like to leave photos with us. I have had at least 32” of water in my house. I am ready to sell my house and get out of here.

Joshua Rogers – 128 Wray Large Road, Jefferson Hills – Just here to support the folks here regarding fracking well. They are doing everything necessary they need to do however a tactic with trying to push this through without really public notice of hearing or enough time to investigate whether there are adequate safety measures in place. Urge the Board to hear the community and the court case in Jefferson Hills and consider the citizens’ concerns and the children. EQT trying to push this through and it impacts all communities in the area. Please get public comments and give it fair opportunity.

Ms. Daerr asked Mr. Sweat to comment on various items throughout the meeting.

Executive Sessions:

March 7, 2022 - Personnel and Litigation

Department Reports:

Solicitor’s Report – will reserve comment on agenda items and discussion items when they come up. Mr. Sweat spoke on the Conditional Use Hearing and that they were legally advertised. Board received testimony and documentary evidence from both the applicant and multiple residents. The record was closed. We have 45 days from February 16, 2022, to render a written decision. If we fail to issue a written decision without getting an extension approved, it will automatically be deemed approved. The 45-day deadline would be April 2, 2022, if you count the 16th as day 1. If you do not decide at March 23 meeting, you would have to have a special meeting before April 1, 2022.

Engineer’s Report – will comment on items as they come up throughout the meeting.

Financial Report – Frank Palermo – Financial Reports are copied and in packets. Ms. Dupree requested to get reports earlier than evening before meeting. Mr. Palermo said it all depends upon receipt of bank statements. It is a tight timeline but we were able to get about 95% completed.

Chairman’s Report – If you have not yet turned in your Statement of Financial Interest – please remember to turn it in asap. They are due into the Township Secretary no later than May 1, 2022.

Ms. Daerr wanted to draw attention to Facebook and the website. They are updated daily. Please use as a resource as there is a lot of information and pictures of all projects, completed and in progress.

Project Manager Report – Ms. Gladus will comment as the meeting progresses. DGLVR training for Ms. Gladus and the road crew. Follow up on airport who is

receiving daily citations regarding water issue. Mr. Smida gave update regarding PulsePoint.

Animal Control Report

Road Crew Report

Building Permits Report

Code/Zoning Report

Police Report from City of Monongahela – Officer Taylor read February 2022 monthly as well as 2021 yearly report.

Unfinished Business:

Vacancies

- Parks & Recreation Board
- SEREMS Representative
- Board of Auditors
- Planning Department Alternate

Chairperson Daerr made statement regarding Right to Knows. As a qualifier, Board is not privy to Right to Know. We have 2 Right to Know officers and there are currently no outstanding Right to Know request per Sarah Scott. Very little Right to Know requests this year and we have answered all other In a timely fashion. Mr. Sweat questioned about Ms. Evans Boren statement and Ms. Scott stated she will look into same.

Action Items:

Discussion was held regarding process of transcribing minutes and content of those minutes.

Motion to table Minutes from January 26, 2022, Public Meeting Minutes.

Motion: Daerr
Second: Lawson
Deliberation: None
Roll Call: Daerr – yes Trax – yes Lawson – yes Esken – yes Dupree - yes
Motion Tabled

Motion to table Minutes from February 3, 2022, Special Meeting Minutes.

Motion: Lawson
Second: Esken
Deliberation: None
Roll Call: Daerr – yes Trax – yes Lawson – yes Esken – yes Dupree - yes
Motion Tabled

Motion to table Minutes from February 9, 2022, Public Meeting Minutes.

Motion: Esken

Second: Lawson

Deliberation: None

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

Motion Tabled

Motion to table M O'Herron's Payment Application #5. This payment amounts to \$15,328.60 and is the release of retainage held on the Overlook Sewer Project.

Motion: Lawson

Second: Esken

Deliberation: None

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

Motion Tabled

Discussion was held regarding grinder pumps and training of same. Maintenance and warranty issues discussed by O'Dell and Gladus. Training of road crew by Teppco.

Motion to approve Parks & Rec Board to purchase t-shirts for each board member not to exceed \$250.00

Motion: Daerr

Second: Lawson

Deliberation: None

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

Motion Carried

Motion to approve Parks & Rec Board to hold Earth Day / Spring Clean Up event at Veteran's Memorial Park on Saturday, April 23, 2022. The budget for this event is not to exceed \$500.00 and donations for children's activities and pizza will be obtained if possible.

Motion: Daerr

Second: Lawson

Deliberation: None

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

Motion Carried

Motion to deny initiating the process of securing a bond to pay for major projects, such as road improvements in the Township.

Motion: Daerr

Second: Lawson

Deliberation: None

Roll Call: Daerr – yes Trax – yes Lawson – yes Esken – yes Dupree - yes
Motion Denied

Motion to table the Conditional Use Application of EQT to develop the Sarah Well Pad and property subject to conditions that address concerns and with caveat that we keep in mind that date of deemed approval which is April 2, 2022.

Motion: Daerr

Second: Lawson

Deliberation: None

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

Motion Tabled

Motion to approve Harshman CE Group to prepare bid documents for 2022 construction for Coal Bluff Road repairs.

Motion: Daerr

Second: Lawson

Deliberation: Mr. Lawson stated that he insists Board of Supervisors review and approve bid documents prior to being made public. Needs to have strict penalty, bonding, etc.

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

Motion Carried

Motion to approve road crew completing the Spruce Street curb project after review of plans and construction estimates which are to be completed by March 31, 2022, when asphalt plants open.

Motion: Esken

Second: Lawson

Deliberation: Ms. Gladus to contact residents on Spruce Street to notify of repairs.

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

Motion Carried

Motion to deny switching IT/network provider to Alternate Network Solutions.

Motion: Lawson

Second: Esken

Deliberation: Discussion regarding losing documents & backup, transfer of information and/or documents.

Roll Call: Daerr – no Trax – yes Lawson – yes Esken – yes Dupree - no

Motion Denied

Motion to approve executing Lobbs Run slide repair project per Supervisor Lawson's drawings using road crew labor.

Motion: Esken

Second: Lawson

Deliberation: Mr. Lawson & Mr. Esken gave detailed options a to repair and that road crew can manage this repair. Will notify residents that may be closed down for possibly for about a week. Also, open a charge account at concrete plant so it can get paid for upon use.

Roll Call: Daerr – yes Trax – yes Lawson – yes Esken – yes Dupree - yes
Motion Carried

Motion to Approve / Deny Project Manager to advertise at local colleges / universities for a paid summer intern

Motion: Esken

Second: Lawson

Deliberation: None

Roll Call: Daerr – yes Trax – yes Lawson – yes Esken – yes Dupree - yes
Motion Carried

Motion to approve Resolution 8 of 2022 which is the Washington County 2022 Hazard Vulnerability Assessment and Mitigation Plan Update – Municipal Adoption Resolution

Motion: Daerr

Second: Trax

Deliberation: None

Roll Call: Daerr – yes Trax – yes Lawson – yes Esken – yes Dupree - yes
Motion Carried

Motion to approve Resolution 9 of 2022 which approves additions to the fee schedule

Motion: Daerr

Second: Esken

Deliberation: Ms. Dupree was asking about Temporary Occupancy Permits. Mr. Sweat responded that we have only done 3, maybe 4, in the last few years.

Roll Call: Daerr – yes Trax – yes Lawson – yes Esken – yes Dupree - yes
Motion Carried

Motion to approve Tractor Supply – Route 88 Sewage Planning Module Component

Motion: Daerr

Second: Trax

Deliberation: Ms. Dupree was asking about keeping documents so copies will not have to be redone again. Mr. O'Dell gave explanation how procedures go from here on out.

Roll Call: Daerr – yes Trax – yes Lawson – yes Esken – yes Dupree - yes
Motion Carried

Motion to approve Resolution No. 10 of 2022 as a revision to the “Official Sewage Facilities Plan” for new land development for the Tractor Supply Development

Motion: Daerr

Second: Trax

Deliberation: Mr. O'Dell gave explanation regarding document that needs forwarded to DEP for review.

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

Motion Carried

Motion to approve TBI Contracting, Inc. Payment Application 1 for the Elrama Central Park Phase 1, Contract 1 (General Contractor); this payment application amounts to \$78,993.00

Motion: Lawson

Second: Esken

Deliberation: None

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

Motion Carried

Motion to Approve / Deny Murin & Murn, Inc. Payment Application 1 for the Elrama Central Park Phase 1, Contract 2 (Mechanical Contractor); this payment application amounted to \$23,580.00

Motion: Daerr

Second: Lawson

Deliberation: Mr. Lawson stated that he reviewed Pay Application with Engineer today and all looks good.

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

Motion Carried

Motion to approve Advertising Ordinance Zoning Map for Mineral Beach / Joseph & Debra Lisanti and Shea Devt, LLC – Subdivision Plan No. 1 (Revised 12/22/2021)

Motion: Daerr

Second: Lawson

Deliberation: Mr. Sweat gave brief background on project. This project is definitely going to move forward despite rumors otherwise.

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

Motion Carried

Motion to approve Resolution 11 of 2022 authorizing Township staff to apply for LSA Funds through DCED, including the application fee of \$100.00 and matching funding of \$100,000.00, if applicable.

Motion: Daerr

Second: Trax

Deliberation: None

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

Motion Carried

Motion to approve Temporary Occupancy Agreement for 191 McChain Road,
Finleyville, PA 15332

Motion: Daerr

Second: Lawson

Deliberation:

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

Motion Carried

Discussion Items:

Discussion on procedure for Township to manage press releases – how and when Township will handle issuance of public statements when necessary, and to be run through Solicitor's office.

Discussion regarding Pumpkin Center Road and letter to Gas Company – letter to be sent via Engineer Sean O'Dell – gas company representative said crew will be out within a few weeks to start repairs. Rich Stock spoke regarding getting water from slide above. Keep on Agenda so we can monitor situation. Buy night flashers for safety reasons.

Discuss state road issue complaint procedure by the Township – keep on Agenda so we can monitor. Supervisor Lawson spoke about pipe under Route 88 being plugged. State portal Complaint system – need access. Ms. Gladus to be liaison for this matter.

Discuss American Rescue Plan funding - keep on Agenda so we can monitor. Need a game plan as to what we are to do with these funds and what roads to get resurfaced.

Discuss Elrama storm water infiltration issues and solutions – inspecting inlets / manholes. Supervisor Esken gave update of his discussion with Road Crew regarding this work. Keeping on Agenda so we can monitor.

Discuss engineering costs / projects – Supervisor Lawson has been meeting with Mr. O'Dell regarding projects and dialing down costs.

Discuss EMS provider updates. Had good meetings with Supervisor Esken and the Chiefs of local EMS agencies. Hopefully, we will have answers by the end of the month meeting. Questions regarding response times, distances from the Township, etc.

Discuss Operational Assessment Manual and Mike Silvestri's recommendations regarding Ordinances – some parts have been implemented and some parts are in progress.

Discuss Davidson Avenue pipe replacement project. Supervisor Lawson gave update and possibly a \$10,000.00 bill for materials only. Ms. Gladus spoke about Puskaric's offer to help resolve this issue. Ms. Gladus to make a map/chart as to various projects that we need to have some work or completed.

Discuss pipe plugged under Rt. 88 at intersection of Rt. 88 and Hidden Hollow Road - Fire Department & Road Crew - Letter to State – Puskaric – Already spoke about previously.

Discuss opening charge account for Road Crew to purchase concrete and to follow Township Purchasing Manual. Foreman will supervise – already spoke about previous.

Discuss purchase for WESA Sewage

Metal Detector

Range Finder

Handheld GPS

Pay out of WESA Maintenance Fund

This items to be tabled and up for possible discussion at later date.

Discuss Road Crew / Township needing a 408 PennDot Book (hard copy) and on-line access (1,329 pages). Albert to price out updated copy of book to be used for reference for road crew.

Discuss ad for Part-Time help for Road Crew – Ms. Gladus gave update about ad and responses.

Discuss WESA and Overlook debts and collection of debt. Ms. Singer to work with Sweat Law Offices regarding amounts and service agreements and how to move forward.

Discuss minute process for meetings – discussed previously at this meeting.

Bill Pay:

Motion to approve Payroll dated March 4, 2022, in the amount of \$11,268.21 for 2 Administration and 3 Road Crew.

Motion: Daerr

Second: Lawson

Deliberation: None

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

Motion Carried

Motion to Approve Bill Pay List for the Brentwood Bank General Account in the amount of \$67,620.55.

Motion: Lawson

Second: Esken

Deliberation: None

Roll Call: Daerr – yes Trax – yes Lawson – yes Esken – yes Dupree – no

Ms. Dupree voted no because the billing number was different than when she reviewed yesterday and wants to withhold Sweat Law Offices bill as she had questions regarding same.

Motion Carried

Motion to approve Bill Pay List for the Brentwood Bank Elrama Sewage Account in the amount of \$187.01

Motion: Esken

Second: Lawson

Deliberation: None

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

Motion Carried

Correspondence:

Waste Management Update – requesting proposal in writing. Contract up at end of June and would like to transfer to cart system.

Correspondence from PA Dept of Transportation re: payment of \$4,160.00 for Road Turnback Annual Maintenance Payment.

Letter from Local Government Academy – we were not approved for summer intern this year. We can consider contacting local colleges, universities, etc. to look for additional help (intern) this summer.

E-mail from Equitrans Midstream regarding proposed pipeline. Surveyors around Township Building within next few weeks. Project was started in 2019 and tabled. It is getting reactivated.

Equitrans is now looking at this pipeline again. Article from Pa. Township News as to “How Townships Can Spend Their COVID-19 Relief Dollars”.

Public Comment:

Janet Hollingsworth – 69 Hobbitt Lane – spoke about Nike Site (Maple Avenue) asked about soil testing at site and star gazing site. Mr. O'Dell gave brief synopsis about contamination and clean areas. Will need to get new assessments done prior to any work being started. Star gazing comments may have been said in joking by a Supervisor and the public just ran with it not realizing it was jokingly being said. Also, Pulsepoint – and EMS Service.

Sandy Dupree – 6187 State Route 88 – speaking on behalf of the elderly and hearing impaired – can we get closed captioned for meetings when live streamed on Facebook.

Remarks from Supervisors and / or Staff:

Chairperson Daerr – response to Ms. O’Tool’s comments about not having EMS Services. We are not without emergency services. We are following course and doing due diligence but at no time is any of the residents in danger of not receiving emergency services if and when needed.

Second comment is about another resident who made public comment and it was not accurate. She gave impression that we did something wrong in that we hired a republican marketing firm and did not Motion for it. I have copy of minutes from September 17, 2021, authorizing Gary Sweat to hire and enter into a contract to assist the Township. Comments are giving false impression that we are misleading residents and demonizing us. It is not right that this is happening.

Supervisor Lawson spoke regarding lending Township a 550-gallon tank for diesel fuel and they should be using it. Use it before it gels up. I also suggested blending 1B stone with sale and Road Crew said no. It should really be considered for the future. Ms. Singer to work with Supervisor Lawson about quantities of salt ordered and what is left to order.

Kevin Daerr – 6178 State Route 88 – questioned that Mr. Lawson loaned a 550-gallon tank with electric pump and the residents are questioning about everything else and that it is awful and that Supervisor Lawson is doing good things for this Township.

Cameras and meetings are being left on while in Executive Session so residents realize that meeting has not been adjourned yet.

Motion for Executive Session @ 8:55 p.m.

Motion: Daerr

Second: Trax

Deliberation: None

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

Motion Carried

Return from Executive Session @ 9:35 p.m.

Discussed personnel and litigation. No decisions were made.

Motion to adjourn meeting @ 9:37 p.m.

Motion: Daerr

Second: Lawson

Deliberation: None

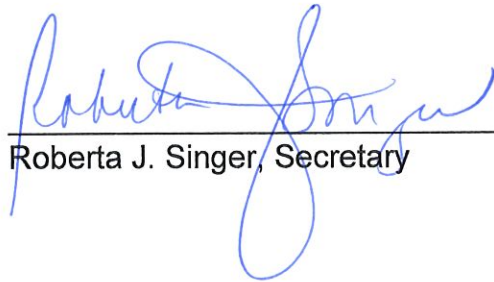
Motion: Daerr

Second: Lawson

Deliberation: None

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

Motion Carried



Roberta J. Singer, Secretary