

**BOARD OF SUPERVISORS
PUBLIC MEETING MINUTES
April 27, 2022 5:30 p.m.**

The Union Township Board of Supervisors meeting was called to order by Chairperson, Heather Daerr at 5:30 p.m.

Pledge of Allegiance: Recited

Roll Call:

Attendees were: Heather Daerr, Chairwoman; Richard Lawson, Supervisor/Treasurer; David Esken, Supervisor/Roadmaster and Michalle Dupree, Supervisor
Chairperson

Charles Trax arrived at 5:45 p.m. to the meeting

Also, in attendance was: Roberta Singer, Secretary/Ass't Treasurer. Terri Gladus, Project Manager; Gary Sweat, Solicitor, Sweat Law Offices; Sean O'Dell, Engineer, Harshman CE Group, LLC; Sarah Scott, Esq. Sweat Law Offices.

Proof of Publication: Confirmed

Moment of Prayer by Pastor Ken

Public Comment:

Linda Evans-Boren – 22 Parkvue Drive – asked questions about supervisor access to bank accounts/signature cards, and motions made at reorganization meetings associated. She spoke of her affinity for Supervisor Dupree.

Bernie Speer – 5106 Chevy Chase Dr – spoke of her distaste for the treatment of Supervisor Dupree.

Kevin Daerr- 6187 Route 88 – stated his distaste with his treatment as a citizen by Supervisor Dupree and her family member at the last meeting.

Supervisor Dupree responded to Mr. Daerr's comments and how she is treated.

****Multiple people talking, recording is not clear****

Debbie Kanel (??) – 16 Rebecca Drive – asked who Mr. Daerr was referring to

Executive Session –

April 27th, 2022 (Personnel) (scheduled but did not materialize)

Supervisor Dupree stated there was not an executive session because the only people in attendance were Solicitor Sweat and herself.

Department Reports

Solicitor's Report – Solicitor Sweat commented on the concerns about a W2 provided to Mr. Ken Puglisi and explained why it was an accurate W2 and what they will be doing moving forward.

Commented on the signature card issue and stated he never took position to not allow any Supervisors on the accounts and provided a narrative on the topic.

Commented on a refund provided by his office to Supervisor Dupree regarding a Right to Know request.

Supervisor Dupree commented on the letter that she received from Sweat's office about getting paid as a Supervisor.

Treasurers Report – Supervisor/Treasurer Lawson stated that the bond company, which is responsible for the bonds that he and Ms. Singer hold, required the following to go into the meeting minutes:

1. There is a newly elected supervisor who will not follow the existing protocol to provide credentials to the Township as all other supervisors have in the past. For authorization to sign the checks, the Township has sent the required Township information to the banks so that the supervisor can go directly to the bank and have the required paperwork filled out. After the bank is done and the supervisor is authorized to sign, Union Township and the treasurer will need form the bank of the signature only.
2. It is his understanding that the same supervisor has not given the Township information for payroll and credentials to pursue the payroll pursuant of second-class township code. The bond company suggested the treasurer and union township require a signed letter stating that the Supervisor is not accepting payment and a release of all future claims that they were not provided the money that the law requires. He will then send this to the bond company and he is asking for the solicitors help on the matter so all documents can be obtained.
3. No one has denied any supervisor access to bank accounts, but normal protocol was not followed so he followed up with the bond company and found out he is very personally responsible.

Supervisor Dupree stated that the only requests for personal information she received was for payroll, driving history, and health information.

Supervisor Lawson spoke more about existing protocols.

Supervisor Dupree expressed her concerns with providing information and that she has not been reached out to by other board members.

Supervisor Esken stated that about the motion that he denied last meeting, it was a poor choice of words and he should have tabled it because he did not have enough information.

**Multiple people talking, recording not clear

Supervisor Daerr reminded everyone of Roberts Rules and asked for order.

Supervisor Dupree, Chairperson Daerr, Ms. Gladus, and Ms. Singer conversed about what key (a master key) Supervisor Dupree has and what doors it unlocks: the sliders, the back door, and the offices.

Chairperson's Report- reported on her research regarding the 2020 Auditor General Audit, specifically regarding the pension funds. She deferred to Gladus' report (attached). Solicitor Sweat confirmed her statements. She referred to the W2 issue and the reimbursement check that solicitor Sweat mentioned in his report.

Motion to add to the agenda : motion to make all bank statements to all the bank accounts available at each meeting to the public for public review.

Motion: Dupree

Second: none

Motion Died

Chairperson Daerr stated she would like the Solicitors opinion on adding this
Solicitor Sweat stated this would be good for next meeting.

Motion to add to the agenda: motion to make Board packets and draft agenda available to the Board the Friday before the meeting

Motion: Dupree

Chairperson Daerr asked if she may finish her chairperson's report, then asked Singer to describe the agenda making and distribution process.

Dupree stated the several agenda items she does not have information on.

Motion to add to the agenda: motion to make Board packets and draft agenda available to the Board the Friday before the meeting

Motion: Dupree

Second: Daerr

Deliberation: Sweat said it was fine.

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

Motion Carried: Item #13 on the agenda

Motion to add to the agenda: motion to have Harshman and Sweat to provide bills electronically to Supervisors when they provide it to Ms. Singer.

Motion: Dupree

Second: Daerr
Deliberation: None
Roll Call: Trax- yes Dupree- yes Lawson- yes Esken- yes Daerr- yes
Motion Carried: Item #14 on the agenda

Action Items:

Motion to approve Holding Tank Agreement for 0 Cardox Road, Finleyville, PA 15332 between Union Township and Rauscher Farms, LLC, conditioned upon Mr. Rauscher meeting all of the requirements of Union Township's Holding Tank Ordinance

Motion: Daerr

Second: Esken

Deliberation: Lawson stated that we need to get holding tank agreements on file to make sure we know when these expire, pumping receipts, etc.

Dupree stated that she is voting yes contingent upon getting more information.

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

Motion Carried

Motion to approve \$500 donation to Elrama VFC based off their fund drive request.

Motion: Daerr

Second: Lawson

Deliberation: Singer stated that last year, the Township donated \$1,000 per firehall.

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

Motion carried

Motion to approve the acceptance of resignation of Michalle Dupree as Road Master

Motion: Daerr

Second: Lawson

Deliberation: Daerr confirmed that this letter was given to the office by Ms. Dupree. Singer confirmed. Dupree stated she is sorry she had to resign.

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

Motion Carried

Dupree abstained because it was about her.

Motion to approve bonding of Project Manager, Terri Gladus, in the amount of \$500,000.00

Motion: Daerr

Second: Lawson

Deliberation: Gladus gave background as to why she is to be bonded.

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

Motion carried

Motion to approve purchase of refrigerator from Bridgeville Appliance for Shop in the amount of \$608.00 - \$650.00 (delivered and removing of broken refrigerator for shop.)

Motion: Lawson

Second: Esken

Deliberation: Singer stated this in on the agenda because the shop refrigerator broke

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

Motion carried

Motion to approve purchase of pipe/drains/catch basins for repairs at Davidson Avenue in the amount of \$6,750.00 (PO #2022-001)

Motion: Lawson

Second: Esken

Deliberation: Esken gave update on the plan for this project.

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

Motion carried

Motion to approve the purchase of 2B stone (45-ton estimate) for Davidson Avenue project in the amount of \$1,080.00 (\$24.00 per ton) (PO #2022-002)

Motion: Esken

Second: Lawson

Deliberation: none

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

Motion Carried

Motion to approve J5 Construction Payment Application No. 4 for Pleasantview Road Slide Repair Project. This payment application amounts to \$16,377.00 which is a release of retainage held from previous payment requests.

Motion: Daerr

Second: Lawson

Deliberation: Lawson confirmed that O'Dell went over this and additional requested repairs are being made.

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

Motion Carried

Motion to approve appointing Janet Hollingsworth to the SEREMS representative position for Union Township as a voting member.

Motion: Dupree

Second: none

Deliberation: Daerr asked the difference between municipal corporations, such as Washington County Sewage Authority, WESA Board, and SEREMS.

He described that SEREMS is a cooperation not a municipal corporation and he recommends not appointing a member to the board of directors due to potential liability issues.

Dupree amended her motion to be: Motion to approve appointing Janet Hollingsworth to the SEREMS representative position for Union Township as a non-voting (liaison) member.

Motion: Dupree

Second: Esken

Deliberation: Daerr asked Gladus is SEREMS put in writing that they would accept a non-voting member. Gladus said not in writing, but it was a conversation. Daerr stated she is not comfortable voting yes because of that.

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

Motion Carried

Daerr abstained due to having lack of information

Discuss CDL license for new road crew member: Gladus provided background information provided in last meeting's packets. Lawson stated he heard from Sever that he would be willing to go in the evening without pay and that approval should be gained by Sweat and the Union. He stated he believes the Township should pay for it. Trax stated that this will set a precedent. Esken stated currently there is only one person with a class A CDL, which is needed for some functions. Daerr suggested Gladus or Sweat reach out to bargaining attorney to see if they should share in the cost but ultimately we are here to support our employees. Lawson said table this until Sweat talks to the lawyers. Sweat stated in order to talk about this, it will require an effective bargaining agreement. Dupree asked how much this negotiation would cost. Sweat said less than \$1,000 and would affect bargaining moving forward under the new law. Sweat recommended tabling the next item with the understanding that he is under the directive to find out the Union's position.

Motion to table sending Frank Sever for his CDL license through CCAC – evening classes.

Motion: Esken

Second: Lawson

Deliberation: non

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

Motion carried

Motion to approve the hiring of Colin Chung as the 2022 Summer Intern at \$15.00 per hour for approximately 300 hours.

Motion: Daerr

Second: Esken

Deliberation: Gladus gave a summary of his resume and interview. Stated he will be finishing MS4 outfall screenings with will save on Harshman bills.

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

Motion carried

Motion to approve/deny Supervisors getting their Board packets and draft agenda no later than Friday prior to the meeting.

Motion: none

Second: none

Deliberation: Daerr stated that she would like to discuss this and would like to see it as a discussion item.

Roll: none

Motion died

Motion to approve Harshman CE group and Sweat Law Offices providing their bills to all Supervisors electronically when they provide it to the Secretary.

Motion: Dupree

Second: Daerr

Deliberation: Roberta stated that she does not get Harshman's bill electronically but is handed to her in paper. Described the extensive nature of the bills that would need scanned as it includes maps. Sweat said they can send theirs electronically.

Daerr rescinded her second because she did not realize that the bills were not already sent electronically.

Second: none

Motion died

Daerr asked for this to be on the next agenda but said Dupree can alter her motion.

Dupree modified her motion to be: Motion to approve Sweat Law Offices providing their bills to all Supervisors electronically when they provide it to the Secretary.

Motion: Dupree

Second: Daerr

Deliberation: none

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

Motion Carried

Discussion Items:

Discuss water flow complaint at bridge underpass on Route 88 and management of issues. Daerr provided information on a complaint she received. Gladus opened up to the greater discussion of her providing project manager reports and investigation so these sorts of items do not have to be individual discussion items on agendas. Complaint was discussed.

Discuss sending Right to Know Request responses via certified mail and read receipts on e-mails. Board decided its overall a good idea.

Discuss Veteran's Park landscaping. Gladus reiterated the information she provided in the packets and Supervisors discussed.

Discuss Cardox Road Trail Cameras. Supervisors discussed and decided to put it as a vote on the next agenda.

Discuss Clairton Municipal Authority Phase II- Daerr asked to table this because she wanted to get more information to present on this matter.

Discuss hand-held air monitors for Union Township first responders. The Elrama Fire Assistant Fire Chief stated that the trucks already have the air monitors on them.

Discuss Lobbs Run flooding complaint / McIntosh Compressor Station field visit. O'Dell gave a summary of the site visit attended by him, Gladus and Lawson, and his analysis, stating that he believes everything is in compliance.

Discuss Elrama manhole inspections / Pa Rural Water Association Membership. Gladus gave a summary and the Board asked to put it for approval on the next agenda.

Discuss transfer of lot in Shire Plan from Union Township to Shire HOA. This request was made by Shire HOA President. Sweat stated that more information is needed and there are many hurdles in accomplishing it. Instructed Singer to get a narrative and request in writing from the interested party.

Discuss Operational Assessment Ordinance recommendation list. Gladus stated that there is no update. Daerr stated she would like the development ordinance looked in to.

Discuss hiring of Kathleen Gallagher regarding PLGIT accounts. Dupree asked why she was hired and when because there was never a board motion. Sweat explained what the Board had her look into and when.

Discuss Elrama Pump Station repairs for impellers. Mr. Bibby getting quotes on parts, etc. Item is to be put in next agenda.

Discuss update on inspections of generators at Pump Station and Township Building. Singer offered an update.

Discuss Waste Management update – contract with Waste Management expires June 30, 2022. Singer provided an update.

Bill Pay List Approvals:

Motion to approve Payroll dated April 15, 2022, in the amount of \$11,983.71 for 2 Administration, 3 Road Crew and 1 Tax Collector

Motion: Daerr

Second: Lawson

Deliberation: none

Roll Call: Trax- yes Daerr- 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 \$145,325.20

Motion: Lawson

Second: Esken

Deliberation: Dupree stated her question about Trident bill. She stated for that reason she votes no.

Lawson rescinded his motion

Esken rescinded his second.

Motion to approve bill pay list for the Brentwood Bank General account, minus the \$1,344.00 for the Trident bill.

Motion: Lawson

Second: Esken

Deliberation: none

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

Motion Carried

Motion to approve Bill Pay List for the Brentwood Bank Elrama Sewage Account in the amount of \$ 6,929.96

Motion: Esken

Second: Lawson

Deliberation: none

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

Motion carried

Correspondence

Correspondence from Peoples Gas regarding Right of Way Maintenance at L&B 640-011-0-00-0011-00 (13 Mingo Circle)

Public Comment

Bernie Speer- 5106 Chevy Chase Drive – asked for her request to have an additional recycling pick up day as part of new waste management negotiations.

Kevin Daerr -6187 State Route 88 – commented on his treatment by Supervisor Dupree and her family. Stated he feels she is attempting to censor him.

Remarks and / or Comments by Supervisors and / or Staff

Supervisor Daerr presented minutes and stated that discussion in a public meeting is the only way the law allows the resolution of these issues. Stated no one was allowed to discuss this at the last meeting. Stated she cannot wait for all Supervisors be able to sign checks.

Dupree commented on the item on the last agenda regarding her being a signor on the checks and that she is not included by professionals or supervisors.

Daerr asked Gladus, O'Dell and Sweat if emails are ever sent that do not go to all Supervisors

Gladus stated all emails go to all supervisors and pertinent professionals. O'Dell stated this is the second time he has heard this claim but he always sends emails to everyone so this may be an issue that needs it to be looked into.

Daerr stated she is committed to all board members being treated equally and she believes that that is occurring. She encouraged all board members to ask to attend whatever they want to be a part of.

Esken stated he asked meetings to be later (5:30PM) and he will never be able to make an executive session prior to the meeting time.

Lawson stated that he needs information from Dupree for the bond company. He is asking Sweat for assistance because she left early.

O'Dell stated his bills go directly from QuickBooks to print, and then he supplements them with maps and supporting documents. They are never digital.

Public Comment

Bernie Speer- Chevy Chase Drive – asked why Sweat and Dupree were the only individuals in attendance

Kevin Daerr – 6187 Route 88 – commented about executive session issue

Adjourn meeting @ 8:45 p.m.

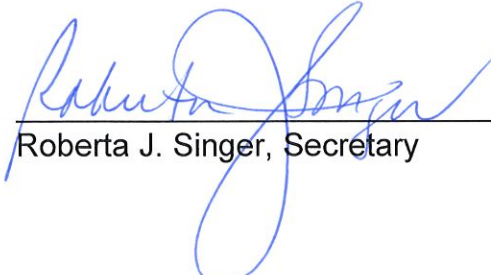
Motion: Daerr

Second: Esken

Deliberation: none

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

Motion carried



Roberta J. Singer, Secretary