

**Union Township Board of Supervisors
Legislative Meeting
March 24, 2021
5:00 p.m.**

The Union Township Legislative meeting was called to order by Supervisor Heather Daerr at 5:00 p.m.

Pledge of Allegiance

Proof of Publication Confirmed

Attendees at meeting were: Heather Daerr, Chairperson; 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; Michael Cruny, Solicitor, Sweat Law Offices; Jessica Stiner, Engineer – Harshman CE Group, LLC; Jaime Harshman--Harshman CE Group, LLC, Sarah Scott, Esquire, Sweat Law Offices

Absent from meeting Charles Trax, Vice Chairman

Public Comments

Michalle Dupree – 6178 State Route 88 – Commented regarding Oil & Gas Ordinance; Asked to hold off on adopting same until meeting could take place with more residents – COVID was restricting number of persons permitted in the Township Building.

Mr. Leco – 226 Garvin Rd. – Commented on sewerage plant and sales agreement for his property. States property was not appraised property; stated he received an offer from company that has nothing to do with said property; Mr. Leco was advised to discuss this matter with Sweat Law Offices.

Motion to Approve Payroll March 19, 2021, in the amount of \$9,758.09 which consists of 1 Administrative, 2 Road Crew, 1 Tax Collector and 1 Road Master.

Motion: Daerr

Second: Lawson

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

Motion Carried

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

Unfinished Business

Board of Auditor position – 1 vacancy

Executive Sessions:

Personnel and Litigations

Wednesday, March 24, 2021

Frank Palermo went over his report which was in supervisor packets, revenue is consistent with budget. Detail of escrow for permits needs to get cleaned up and will get restored working with Township staff. Regarding Local Share accounts – it was recommended that these accounts get closed. Sewerage training went well, and all set up and waiting for go ahead. Mr. Palermo stated he would not change anything in the budget at this point.

Jessica Stiner read her resignation, there is an attachment for the minutes, this is her last meeting and her last day with Union Township is April 1.

New Business

Announcement regarding Union Township receiving approximately \$561,372.00 in Local Aid as part of the Coronavirus Relief Package a/k/a American Rescue Plan Act of 2021. Discuss within the next month with Sweat Law office to see where this money would be the best place for it.

Motion to Approve one-year PRD Approval Extension Request for Scarmazzi Homes Highland Village PRD, originally approved on March 25, 2020.

Motion: Lawson

Second: Breinig

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

Motion Carried

Motion to Approve request for refund of \$8,184.00 for sewer bills paid from 2009-2021 for 47 Popp Lane, Elrama, with the following conditions:

1. Residence to provide water records of proof of water utility being disconnected
2. Provide dye test showing no stormwater has been entering the sewer system;
3. Demolish unsafe, condemned structure; and
4. Property cap sewer lateral to ensure no stormwater enters the system.

Motion: Daerr

Second: Lawson

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

Motion Carried

Public Comments

Cheryl Robinson – 6265 Brownsville Rd. Ext. – Spoke regarding April 28 at 3:30 p.m. This time is too early and it is directly behind my property. Can we change it to a later time like 5 p.m.? Michael suggested changing it to April 21, 2021, at 5:00 p.m. Cheryl stated yes that is better it was just the time, not the date.

Motion to Approve public hearing for April 21, 2021, at 5:00 p.m. to consider Q&A Landscaping Rezoning request for Parcel# 640-003-00-00-0011-00 from split zoned RD/R1/R3 to C2. Sweat Law Office will do the advertising and make sure letters get sent out.

Motion: Daerr

Second: Esken

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

Motion Carried

Motion to Approve Baratz Subdivision Application conditioned upon Harshman CE Group's February 12, 2021, comment letter.

Motion: Daerr

Second: Breinig

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

Motion Carried

Motion to Approve adoption of revisions to Ordinance Chapters 242 Subdivision and Land Development and 280 Zoning to require permit and application submissions 30-days prior to regularly scheduled meetings.

Motion: Lawson

Second: Esken

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

Motion Carried

Chairperson Daerr commented the board has worked on this Oil & Gas Ordinance for 4 years and we have had multiple public meetings, none of which have ever been closed to the public. Gary Sweat & Michael Cruny from Sweat Law offices detailed in last meeting that it is only going to protect our residences and we did nothing. We stood on the Ordinance from 2010 and the residents would have less protection against Oil & Gas Well and I wanted to make that clear again.

Motion to Approve adoption of Oil & Gas Revisions to Ordinance Chapter 280 to further regulate oil and gas activities in Union Township.

Motion: Lawson

Second: Daerr

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

Motion Carried

Motion to Approve Sweat Law Offices to review and draft modifications to Union Township Code of Ordinances Chapter 211, Article 1 – Dye Testing.

Motion: Breinig

Second: Lawson

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

Motion Carried

Motion to Approve Sweat Law Offices to draft Service Agreement for use with Peters Creek Sanitary Authority.

Motion: Lawson

Second: Breinig

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

Motion Carried

Motion to Approve Harshman CE Group, LLC to perform smoke testing on the full Elrama sewer system for \$16,000.00 to locate and eliminate stormwater from entering the sewer system. Cannot do until land is dry and Mr. Lawson wants to be involved.

Motion: Lawson

Second: Esken

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

Motion Carried

Motion to Approve Form AG-385 for Dept. of Auditor General as prepared by Frank Palermo be filed. Due date is March 31, 2021.

Motion: Daerr

Second: Lawson

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

Motion Carried

Motion to Approve Sweat Law Offices to draft and forward (discuss) sales agreement to the Leco's for use in the Mingo Circle Sewage Project. Property appraised at \$21,600.00 on March 2, 2021. This allows negotiations between Sweat Law Office and the Leco's.

Motion: Breinig

Second: Esken

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

Motion Carried

Motion to Approve submitting drafted bid plans for Elrama Central Park with budget of \$130,000.00 to DCNR for final review. Original approved budget was \$99,800.00 as drafted in 2020 so the Township would need to contribute an additional \$30,200.00 as drafted. Chairperson Daerr stated from last meeting we were talking about cutting somethings due to budget but with this Corona relief package that extends more possibilities to get this park done, the price increase was due to the lumber.

Motion: Breinig

Second: Lawson

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

Motion Carried

Motion to Approve Harshman CE Group and representative(s) from the Board of Supervisors to attend a meeting with the Washington County Sewage Council on April 7, 2021 @ 9:00 a.m.

Motion: Daerr

Second: Breinig

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

Motion Carried

Motion to Approve purchase of ArcGIS desktop standard one-year term license from ESRI for \$3,670.00 for use by Municipal GIS Intern.

Motion: Breinig

Second: Esken

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

Motion Carried

Motion to Approve Harshman CE Group and Sweat Law Offices to coordinate an offer of employment for the Municipal GIS intern for between \$11.00 and \$20.00 per hour, depending upon the candidate's level of experience, with a \$5.00 or \$6.00 of the hourly wage to be reimbursed by the Local Government Academy.

Motion: Lawson

Second: Esken

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

Motion Carried

Motion to Approve Time Extension until April 9, 2021, for Mary Fisher at 6622 Library Rd to tap into the Overlook Sewer, due to finalizing her grant paperwork and finding a plumber to do the work.

Motion: Daerr

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

Motion Carried

Motion to Approve Developer's Agreement for the Dossee-Scarmazzi Hidden Hollow Subdivision, subject to final review by Harshman CE Group and Sweat Law Offices.

Motion: Breinig
Second: Lawson
Roll Call: Daerr – yes Trax – absent Lawson – yes Breinig – yes
Esken – yes

Motion Carried

Motion to Approve Bill Pay List in the amount of \$42,906.81 Brentwood Bank General Fund.

Motion: Esken
Second: Daerr
Roll Call: Daerr – yes Trax – absent Lawson – yes Breinig – yes
Esken – yes

Motion Carried

Motion to Approve Bill Pay List in the amount of \$6,367.12 Brentwood Bank Elrama Sewer Fund.

Motion: Daerr
Second: Lawson
Roll Call: Daerr – yes Trax – absent Lawson – yes Breinig – yes
Esken – yes

Motion Carried

Correspondence:

None

Public Comments:

Lori Kenavey -- 6088 Brownsville Road Ext. – Commented on Oil & Gas Ordinance. First - what was passed, what was worked on by the Planning department this board decided to dissolve back in 2017? And for the most part, it does follow that we put into it, which was a good bit of time. The one thing I am very disappointed is that we asked that the reentry be put in as a conditional use and that did not happen. So, if redrilling happens no one will know about it because there will not have to be any kind of a hearing and that is a real shame to these people that live around here. Second - we have an intern for the summer, and I would have assumed it was free to the Township in some way, but we are paying quite a bit of money for this intern.

Chairperson Daerr requested that Mr. Cruny explain reentry as it pertains to reentry conditional use. Mr. Cruny stated you cannot make it a conditional use again. They

already got the approvals you cannot make it a conditional use; the board is forbidden to make it a conditional use. The provision does give them information when they want to reenter a pad, we have the approval they need to resubmit the information. This is relatively new to Union Township, except for the Trax Farm Pad. It is a living breathing organism. It can still be revised you can bring it up to my office or the board.

Michalle Dupree – 6178 State Route 88 – Spoke regarding Sunoco and transitional pump station. Ms. Dupree stated that it is part of Nottingham Township and they are taking a part of Union Township. Engineer Stiner spoke to clarify the record. I tried to come but the meetings were not made available to me. I do also have another question and I wanted to make the board aware I had a right to know request that I got a refund on and I saw it on the bill pay of the refund however I got a check from Mr. Sweats office from a different account that showed on the bill pay list, so I wanted to make you aware for accounting. This check with my name on it was not what I got I got this check from a totally different account from Mr. Sweats office.

Engineer Stiner asked if she could comment on the intern. Chairperson Daerr said she was just about to comment on that. Engineer Stiner stated it was a competitive program through the Local Government Academy and they pay 50% wages for an intern to work for the Municipality, it 400 to 480-hour program after 480 hours, they will reimburse you 50% of their wages. We wanted someone who is fast and good at what they are doing so there pay would reflect that and that would be over the \$12 an hour. This is an extremely competitive program not even to be chosen and we were grateful and to try a good candidate and we found 1 person who is really good and would be great for this Township. It is in the budget and it was discussed in all the budget meetings last year. We have a significant budget for this intern, so this is not an unbudgeted intern. Having an intern instead of a service at a better rate is great experience for the Township and save the Township a lot of money.

Supervisor Comments:

Mr. Lawson stated wants the board to consider the salt program our salt is \$67 a ton and wanted to see if we could consider blending 1A which costs \$24 a ton with salt, and it would save a lot of money. I also wanted to give an update on the Massey Ferguson tractor. Mr. Breinig picked up the injectors and I brought in the old injectors and not be accused of putting them in the bag. Mr. Breinig brought them in, people saying I am fabricating pictures and making stuff up, this is not made up, this is neglect. The tractor is still 2 weeks out from being repaired but will be here for the fall cutting.

Mr. Breinig stated at the point we have received 917 tons of salt and are in the process of ordering another 100 tons and that will put us right where we should be. Work needs to be done on the John Deere high-lift and I will bring information before the board at the next meeting. The fuel tank is installed in truck #8 and looks like it is brand new right now. Mr. Lovrich did a great job. Mr. Lawson stated wants to hold off on ordering the salt that until we find out about blending. Chairperson Daerr stated we put salt blending on non-leg next month since winter is over.


Motion to Adjourn @ 5:52 p.m.

Motion: Daerr

Second: Lawson

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

Motion Carried



ROBERTA J. SINGER, Secretary