

**BOARD OF SUPERVISORS  
PUBLIC MEETING MINUTES  
February 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; Officer Taylor, City of Monongahela Police Department.

**Proof of Publication** was confirmed

**Moment of Prayer** by Pastor Ken

**Public Comment**

George Powell- Finleyville Elrama Road - referenced an article that he handed from the Supervisors written in 1986 that stated that there were sewage issues in the Township and citizens' wells were contaminated even back then and he is thankful that the Board is addressing it now.

Denise Puglisi – 4057 Heath Road Jefferson Borough – stated that her husband Ken got a W2 from the Township for 2021 and she wanted to bring it to the Board's attention. The Board and the Solicitor stated that they would investigate it and get back to her.

Executive Sessions:

January 26, 2022- Personnel and Litigation

**Department Reports:**

Chairman's Report- none

GIS/Project Manager Report- Gladus stated that the Trax Road Guiderail is fixed, the Parks and Rec Board was held last week and went well, she provided the Board with the questions to be answered for the Mon Valley Alliance Economic Playbook Project, the LGA application has been submitted and we will know in March and she stated she is still working on the Snowplow GIS tracking project.

Solicitor's Report- noted that at 4:30 today an 18-page opinion was released on the 3<sup>rd</sup> amended complaint regarding the Cardox Road complaint. It has all been dismissed

with prejudice. The decision will be on file at the Township and he will be prepared to speak on this in detail at the next meeting.

Sweat continued by explaining the confusion that occurred during last week's special meeting and that one of the questions that as raised included the appropriateness of a zoning hearing board member serving on other boards. He clarified that zoning hearing board appointments cannot also sit on other Township Boards but there is no issue with them holding appointed positions on a municipal authority. Mr. Daerr may serve on both boards.

The other comment that was brought up is that the appointed individuals must turn in a state ethics form 10-days prior to appointments. However, this does not apply to appointed positions in the Township. He stated he sees absolutely no issue with the zoning hearing board appointments, regarding any of the appointments. He commented that if a person's term expires, they serve until they are reappointed, or someone is appointed to take their place. This was confirmed by PSATS.

Daerr commented that this issue took a lot of staff time and solicitors time to work this issue out.

Lawson stated that he recommends the Board members work as a team to bring up issues like this ahead of time so that resources do not need to be expended in this way.

Dupree stated that she sent an email to everyone about her concerns and Solicitor Cruny stated that he recommended an emergency meeting to appoint these individuals.

I would say there should have been.

Singer stated that she is disheartened by the bashing on Facebook she and the Supervisors has been experiencing.

Engineer's Report  
Financial Report  
Animal Control Report  
Road Crew Report  
Elrama Pump Station Report  
Building Permits Report  
Code/Zoning Report  
SEREMS Report  
Police Report from City of Monongahela  
Secretary Report – stated her comments have already been stated

**Unfinished Business:**

Vacancies

Parks & Recreation Board  
WESA Representative  
SEREMS Representative – Gladus stated this will be discussed later in the meeting  
Board of Auditors (Matt Sarbak resignation received 1/24/2022)  
Planning Department Alternate

**Action Items:**

Motion to approve appointment Mr. Charles Wilson to WESA Board as Township Representative

Motion: Daerr

Second: Lawson

Deliberation: None

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

Motion Carried

Motion to table Covid Policy (Employee) due to the policy not making it into the Board Packets due to technical issues

Motion: Daerr

Second: Lawson

Deliberation None

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

Motion Tabled

Discuss water tap at Veteran's Memorial Park- Lawson stated that he is meeting with the water company onsite soon to verify exactly what types of equipment are needed and logistics. He also was looking at basic sprinklers for use.

Daerr thanked Lawson for the forethought on this project and she is looking forward to a beautiful park.

Motion to table water tap at Veteran's Memorial Park

Motion: Daerr

Second: Trax

Deliberation: none

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

Motion Tabled

**Discussion Items:**

Discussion sinkhole on Stonebridge: Esken stated the location of the sinkhole is at the top of the road in the cul-de-sac. He stated they will be doing a PA One Call to find out what is going on under the road.

Lawson stated it is about a 3x5 foot down about a ditch. While he was looking at it, citizens approached him again about run off from the airport. He stated concerns that this may be playing a role in the road and the airport issue should be looked at again.

Daerr stated that a lot of action has taken place regarding this issue.

Sweat stated that he will be prepared to report again on this issue at the next meeting.

Discuss Inflow Protectors (RLL): Lawson stated that he did not get a price on these but he would like these installed as the manhole inspections occur in Elrama. He also stated that he thinks the board should consider hiring another company to do this because the road crew seems reluctant.

Esken said he was talking with the road crew and they said they were going to start looking at some of these.

Lawson said that he had Gladus write up a form and map for these inspections

Gladus added that when she was assisting with smoke testing in the area all of the manholes they popped had these already installed so it is unclear how many would be needed for purchase.

Daerr suggested that as road crew gets working on this perhaps they can price it out and estimate how many are actually needed.

Discuss Spruce Street: Daerr stated that they got flooding complaint a while ago and the last meeting the Board discussed asking the road crew to get a plan together to add a curb to the problem area.

Esken said he will get together with road crew to get a construction schedule and price estimates for materials.

Discuss Bond(s): Lawson reiterated that he believes that the Township should look into bonds to fund large projects.

Sweat explained how the bond process works and detailed that it will take 3-6 months until this is able to come to fruition.

The Board agreed to get a list together of wish-list/long-term projects such as the sewer projects that would do well to be funded by this per the recommendation of the solicitor.

Dupree stated that before the Township goes and talks to bond people that the Township needs to be clear exactly what the taxpayers will be getting for the loan taken out on their behalf.

Daerr stated that she personally is not interested in this at this time, and she feels that going for PennVest for Mingo Circle is the better option for the Township since there has been success with this in the past and it is a 1% interest loan. She stated that there is a lot of growth planned in the Township in the coming months/years and noted that if it were not for the lawsuits this year the Township would have been on budget. She stated that this is a big undertaking considering the limited staff.

Lawson stated he is going to submit his list of projects and he is in favor of bonds because he is very concerned about all of the upfront costs that have to come out of the general fund for these types of projects. We cannot balance our budget the way its going.

Esken stated that having Jonathan Madaras and his ALS in the Township is a free bonus that other municipalities are not getting.

Dupree watched Elizabeth offer \$55,000 to have an ambulance housed so even if Jonathan is housing at his residence, even sometimes would be a bonus.

Lawson stated that he is not happy that this \$30,000 bill was dumped on us, but he believes that we need EMS. So, he stated that the Township should also do due diligence to make sure we are serving the Township in the best and most economical way possible. So, he suggests that the Township begins paying SEREMS the Township's fair share monthly and research other options in the meantime.

Daerr stated that she wants to know what the other municipalities have been contributing.

Dupree stated that she saw during Elizabeth's meeting someone questioned what Union has paid and other communities.

Daerr suggested putting in right to know requests for this information.

Dupree suggested to just ask SEREMS.

The Board was generally in support and the administration stated they will take care of it.

Discuss resolution for elected official reimbursement: Daerr stated that this issue has been addressed and the bills of recent discussion have been paid but asked Ms. Singer if she would feel more comfortable with a policy in place moving forward and she stated she would.

Dupree questioned if this is necessary because it is already Township code and if this would be redundant.

Sweat stated that he recommends having a policy that the expenditure has to be approved by the board before the expenditure occurs.

Discuss Covid Policy (Township Building Policy)

Gladus stated that this was part of the conversation last time and she wanted to get a general feel of what the Board wanted before she drafted anything. She stated that the Township can do anything from having all visitors fill out health questionnaires to posting CDC guidelines on the door.

Daerr stated she is against a policy and she feels the public should be trusted

Esken spoke to the very strict protocols that are in place where he works regarding temperature and health forms.

Sweat stated that he recommends posting the CDC covid recommendations on the wall/door of the building.

Daerr reiterated that she wants the staff to feel safe so if anything, ever changes she is absolutely willing to reopen this conversation.

Discuss IT Service Provider: Gladus stated that she wanted to update that there is a list compiled and quotes received and that she will have something in the packets for next meeting.

Lawson asked if Advent is in the running and Gladus stated yes.

Lawson stated he has a problem with that because we pay them \$895 to be on call but then they charge us for coming in to fix stuff.

Gladus clarified the \$895 goes to a lot of other services such as network support, off-site backup storage, etc... This is not only our tech help desk they do offer a lot of other services to us and she is very close to having a full report for discussion.

Discuss Elrama resident's stormwater concerns: Dupree stated that she asked this be on the agenda because in her last packet there was a letter from Rep. Puskaric's office over some concerns over stormwater issues in Elrama that residents brought to his office's attention. She outlined the timeline of this event/conversations and stated that she has a meeting on February 18<sup>th</sup> with the property owners and the Representative's office and she wanted to extend the invitation to the other board members.

Daerr asked if there were any past complaints about this property/area and asked Dupree to extend apologies if it was portrayed as a lack of interest at all, there is just concern over scheduling meetings and keeping in line with the Sunshine law.

Lawson stated that after the last meeting when he was alerted of an issue he went down to look at the catch basins and he understood the complaint to be that she was getting flooded, and he stated that this is impossible because she is higher than the street. He stated an issue with a lack of curbs and catch basins on these historical roads. However, he noted that all of the water coming off the parking lot next to her house was directing water. He stated that it is sad that the Township has had a sewer jetter that we have not used yet but believes the road crew needs to go clean it out and they should be using the jetter.

Dupree expressed dissatisfaction with the fact that the information that Lawson was not extended to her even though she asked Singer explicitly for it.

Daerr stated that the focus should be is that we are now aware of the problem and now it can be solved. She asked if Sean was aware of this problem?

Lawson stated that he found out about this problem in Harshman's report from Sean that states the recommendations for projects that he got in January of 2022.

Daerr asked if the Road crew is aware of this issue and if this is an issue that they can address

Esken stated he believes that it is and he will talk to the road crew about it.

Gladus stated that she included repair and maintenance status of inlets when she was doing MS4 outfall screenings and this is something that the intern during the summer could work on creating a priority maintenance list for inlets is a goal of the board moving forward.

Dupree stated that she definitely did not get a copy of the document that Lawson keeps referring to.

Daerr stated that when problems like this arise they should not have to come to the Board because it slows everything down. If the road crew can take care of it, it should just be handled in house as quickly as possible.

Singer stated, regarding the complaint on Morgan Ln, there was a complaint made last September and she sent him a letter asking him to contact the Township to set up a meeting with the engineer to solve the problem. He never contacted the Township back.

Lawson stated regarding 10 Morgan Ln, the house is built in a flood plain. The big issue he sees here is with a man-made problem that altered the creek where this water drains.

Daerr asked Gladus if she could reach out to the homeowner and provide them with some of the information that Sam Carroll provided to the Township on flooding and the recent waterway ordinances the Township passed.

Dupree stated that it seems like everyone has a full understanding of this issue except for her so she is still going to go to the meeting. She also stated that there is no issue with three of them meeting as long as there is no deliberation.

Daerr stated thank you and any interested board members are welcomed to attend but she absolutely does not plan to attend any meetings with 3 board members because accusations can be made.

Discuss Complaint procedures that are received in a non-traditional fashion. Daerr stated that when Singer received these from Puskaric's office because it was not conventional there was some confusion as to how to handle this which may have led to

some of the communication breakdown. She asked Sweat to speak on procedure when we receive complaints directly from representatives.

Sweat said that we need to instruct them to get into the channel and fill out the formal complaints so that the administration can decide what the appropriate action is moving forward.

Dupree reiterated that she feels there is some sort of break in communication between her and the board and the administration.

Lawson stated that when he hears about an issue, he goes out to look at the problem so he can address it and put it behind him he does not traditionally ask other board members to meet with him to go look at it.

Discuss Administrative Staff permission to make necessary decisions regarding mechanical/emergency utility issues at Township Building. Will follow bidding procedures as detailed by PSATS when appropriate: Daerr stated that this is being brought up last week when Singer was here by herself and the building had no heat or power. Singer called around to all the board members which took a lot of time. Instead of having to get Sweat's blessing to spend money every time emergencies arise, if it is a mechanical/utility issue at the Township building that it can just be addressed. A resolution will be drafted for the next meeting.

**Bill Pay List Approvals:**

Motion to approve Payroll dated February 4, 2022, in the amount of \$13,752.08 for 2 Administration and 3 Road Crew.

Motion: Trax

Second: Esken

Deliberation: none

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

Dupree stated that she voted no because of the W2 issue that was brought about earlier and that she did not have adequate time to review.

Singer asked if Dupree wants to view payroll as well

Dupree said yes.



Lawson stated that he feels that Dupree needs to make an effort to come view the bills if she is going to vote no on them for not being able to view them.

Dupree called a point of order on a procedural order because this is not the topic being discussed.

Daerr acknowledged this and asked Sweat to mediate.

Motion Carried

Motion to approve Bill Pay List for the Brentwood Bank General Account in the amount of \$29,239.38.

Motion: Lawson

Second: Trax

Deliberation: none

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

Dupree stated that she voted no because she was not given adequate time to review them.

Motion Carried

Approve / Deny Bill Pay List for the Brentwood Bank Elrama Sewage Account in the amount of \$191.24.

Motion: Esken

Second: Daerr

Deliberation: none

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

Dupree stated that she voted no due to not having enough time to review them

Motion Carried

### **Correspondence**

We have received complimentary tickets for the Remodeling Expo 2022 at Heinz Field – UPMC Club on February 11-13, 2022. Limited number of tickets so it will be first come first serve basis. Please see staff at the Township Building if interested.

### **Public Comment**

Bernie Spear- 5106 Chevy Chase Drive – stated that she received an email from a resident about a demolished home not being taken off the tax forms. She attempted to work through this issue for the citizen with Jarrod D’Amico to no avail, so she is turning it over to the Township now.

Gladus stated that she will work with her and the resident to get this sorted out.

Kevin Daerr- 6187 Route 88- stated that he received a right to know request response regarding Supervisor Dupree’s claim that the Township has a nepotism policy that would prohibit him from serving on the Zoning Hearing Board. He stated that the

response indicated that the nepotism policy she was referring to came from an operational assessment report and he wanted to clarify if there really is a nepotism policy because he wants to serve his community but also wants to do what is right.

Sweat stated that his offices looked through documents extensively and cannot find that this is an adopted policy.

K. Daerr clarified with Sweat that it is okay for him to sit on the Zoning Hearing Board

Sweat confirmed there is no issue.

Dupree stated that she brought this up because it was in her supervisor handbook and she believed it was adopted policy.

Gladus stated that she will work with Dupree to make sure she has all of the most up to date information in her handbook and that she fully understands what the operational assessment is and what is adopted policy.

Singer stated that the operational assessment was included in the handbook because it was requested so frequently by supervisors.

K. Daerr asked the board if these issues could possibly be brought up administratively prior to the meetings because he found it quite embarrassing the way it was brought up.

#### **Remarks and / or Comments by Supervisors and / or Staff**

H. Daerr stated that she found a letter informing the township about the upcoming DGLVR grant cycle and the training that is mandatory in order to be able to apply for the grants and she encourages board members and Gladus to attend.

Gladus said she is more than happy to go to the training but she feels that it should go out to the Road Crew as well.

Dupree stated that she thinks it is confusing that she got the operational assessment in her reference manual, and she feels that these issues could be handled ahead of time if she were given more time between the agenda, board documents and meeting. She feels there should be a policy to get these materials out further ahead of time and in the event of snow or other emergencies there would be a large issue. She suggested a policy to stop adding to the agenda after a certain time. Also stated that in the event that staff could not be at work on Tuesday, then Board packets would reach Board members.

Trax clarified with Singer that all of the members got all of their information at the same time.

Dupree stated that she read an e-mail at 3:20 with a notice that building is closing at 4:00 and that Board members have complained on other Boards that a week was not long enough.

Esken compared this to his experience in corporate America where agendas change as meetings are starting and he stated although it would be ideal, he feels it is impractical to think we could have agendas together a week ahead of time. He stated that he feels 100% prepared to vote because he trusts the professionals to do their job. Trax stated, "welcome to your new job."

Gladus suggested that if Dupree would like to discuss a policy change because she feels there is not enough time to review then she should request this topic to be added to the agenda.

Dupree stated that is a good idea and thank you.

Daerr clarified that anyone wanting anything on the agenda can request it added at any time, you do not need to wait until the draft agenda comes out.

Lawson stated that he believes the road crew did an excellent job with the last snowstorm. He also stated that he thinks Singer and Gladus are doing a good job with the agenda. He also stated that he is aware of an emergency slide on Lobbs Run Rd and Pumpkin Center Rd that is a gas line right away. He asked Esken to please go with road crew to put barriers up. He also stated that some of the bills were late because they were held up for Dupree's review and he does not feel that she will ever feel she has enough time for review and that he will never invite her to look at a job outside of this building and she can be sure of that.

Dupree asked how information comes to Lawson without him being a road master because he has a lot of plans and knowledge about road issues.

Lawson stated he hears about things from citizens or sees them himself and then he goes out in his truck and looks at them firsthand. Lawson stated that he comes down to review what is done whenever he has time, he does not wait for the entire bill pay to be finished to view them.

Dupree stated that he stated that he comes down on a biweekly basis to review them. She stated that she has only ever been told they were done for review the day before the meeting that is the e-mail she gets. That is not enough time and you were on a board (stated a week is enough time).

Lawson stated, "when you are not busy watering your flowers, come down and look at the bills."

Lawson stated that he finds it easier to sign these because he is familiar with the recurring bills and she is likely to be comfortable with them once she reviews them more often and he should review bills that are already paid so that she can get used to them.

**Motion to adjourn the meeting at 7:55 pm**

Motion: Daerr

Second: Lawson

Deliberation: none

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



Roberta J. Singer, Secretary