

**BOARD OF SUPERVISORS - PUBLIC MEETING**  
**September 28, 2022**  
**5:30 p.m.**

At 5:30 PM, Vice Chairman Trax called the meeting to order.

The Pledge of Allegiance was recited.

In attendance were: Heather Daerr, Chairwoman (by phone); Charles Trax, Vice Chairman; Richard Lawson, Treasurer/Supervisor (by phone); Michalle Dupree, Supervisor; Michael Barna, Supervisor.

In attendance were also: Terri Gladus, Project Manager/Planning Director; Alyssa Beachy, Municipal Intern; Gary Sweat, Esq., Sweat Law Offices; Sarah Scott Esq., Sweat Law Offices; and Sean O'Dell, P.E., Harshman CE Group.

Proof of Publication- Confirmed

Moment of Prayer- Pastor Al

Public Comment (Agenda Items Only)

Bernie Speer – 5106 Chevy Chase Dr. - Commented on Chairwoman's comments about positive accomplishments and listed bad decisions Township has made

Linda Evans – 22 Parkview Dr. - Expressed concerns about water bill hydrants and paying bills with restricted account money

Charles Wilson – 316 Stone Church Rd. - Expressed concerns with bill pay penalties with PA American Water and the person responsible for the mistake should pay the late fees

Tom Hart – 11 Lake Dr. - Addressed SEREMS contract and wants it to be passed. He also expressed concerns about the water bill and the late fee penalties

Lori Kenavey – 6088 Brownsville Road Ext – commented about audit procedures that should be taken by the Township

Darla Savko – 68 Aber Road - Stated that she submitted a right to know about bank reconciliations and wanted to know if she was requesting the right papers

Larry Spahr – 181 McChain Rd. - Expressed concerns about audits and how finances should be handled in the township

Kevin Daerr – 187 RT. 88 - Expressed concerns in regard to a mistake being made with bills being paid and Road Crew mistake that is treated differently

**Supervisor Comment**

Supervisor Dupree wanted to add in resignation of an appointed professional to agenda. Stated she would make a motion for such.

Supervisor Daerr addressed a public comment about late audits, reading a letter from PMRS describing why audits were not yet provided to the Township

Executive Sessions were announced from:

Wednesday, September 21, 2022, PCSA Litigation

Tuesday, September 26, 2022, Personnel

**Department Reports:**

Project Manager – Announced that an independent auditor will be coming in to complete an audit. PA American water and office staff are meeting to discuss late fees for the water bills; reported latest right-to-know requests (58 requests, no lost appeals), and bill pay discrepancies from the last meeting that have been resolved.

**Unfinished Business:**

Vacancies were announced for:

Roadmaster; Parks & Recreation Board; Board of Auditors; Planning Department Alternate; PCSA / Union Township Representative

**Action Items:**

Motion to approve the Mutual Release and Settlement in the matters of Union Township v. Christopher Labee, et al. and Peters Creek Sanitary Authority (“PCSA”), filed in the Court of Common Pleas of Washington County at Docket No. 2021-4360 and PCSA v. Union Township, filed in the Court of Common Pleas of Washington County at Docket No. 2022-0046.

Motion: Trax

Second: Lawson

Deliberation: Supervisor Dupree inquired about the mutual release and settlement being two separate motions instead of one. Sweat noted that because they are so closely related and that is how it came from the other party, it was fine.

Roll Call: Daerr – yes Lawson – yes Dupree – Abstain Trax – yes Barna – Abstain

Ms. Dupree stated her abstaining because this litigation started before I was on the board. There have not been any executive sessions where this matter was discussed that I was in attendance since March, as well as all the documents were sent to me yesterday afternoon, of which some of the 6 attachments were in excess of 100 pages. I do not feel that I have enough information to vote on this matter.

Barna abstained due to solicitor Sweat's recommendation that there may be possible economic conflicts due to the holding tank being on his property.

Motion Carried

Motion to approve the ratification of the payment of the PA American Water Bill in the Amount of \$37,096.81 for the Township Fire hydrants and the treasurer is instructed to ensure that any adjustments in the accounts have been paid.

Motion: Trax

Second: Lawson

Deliberation: Supervisor Dupree stated: I want to make the board aware by the water company that another 11 electronic payments were made on September 6th without board action or put on a bill pay. Inquired if those need to be rectified as well.

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

Motion Carried

Motion to approve the following dates for Leaf Collection for Union Township. October 31, 2022; November 7, 2022; November 14, 2022

Motion: Barna

Second: Trax

Deliberation: none

Roll Call: Dupree – yes Trax – yes Daerr – yes Lawson – yes Barna – yes

Motion Carried

Motion to approve September 14, 2022, Minutes from the Board of Supervisors Meeting contingent upon the edits Supervisor Dupree provided to the staff just prior to the meeting

Motion: Daerr

Second: Lawson

Deliberation: none

Roll Call: Dupree – yes Trax – abstain Daerr – yes Lawson – yes Barna – yes

Trax abstained due to not being present for the meeting

Motion Carried

Motion to approve Holding Tank Agreement for 123 Houston Run Road

Motion: Daerr

Second: Barna

Deliberation: none

Roll Call: Lawson – yes Barna – yes Dupree – yes Trax – yes Daerr – yes

Motion carried

Motion to approve Temporary Occupancy Permit for 123 Houston Run Road

Motion: Trax

Second: Daerr

Deliberation: none

Roll Call: Daerr – yes Lawson – yes Barna – yes Dupree – yes Trax – yes  
Motion Carried

Motion to approve refunding the property owner at 221 Pleasant View Road for accidental property damage caused by Road Crew activities in the amount of \$1,650.00

Motion: Daerr

Second: Trax

Deliberation: none

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

Motion Carried

Motion to approve repair to Township Building generator in the amount of \$2,098.17.

Motion: Lawson

Second: Daerr

Deliberation: none

Roll Call: Dupree – yes Trax – yes Daerr – yes Lawson – yes Barna – yes

Motion Carried

Motion to approve Change Order #1 for Veteran's Memorial Park. This Change Order results in a \$2,525.00 reduction in the contract price by changing the material of the fencing fabric from aluminized fabric to galvanized fabric.

Motion: Daerr

Second: Barna

Deliberation: Discussion about the difference in material and the lead times for each. It was noted that the new material can be obtained weeks sooner than the aluminized option.

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

Motion Carried

Chairwoman Daerr left the meeting at 6:54 PM

Motion to approve adding "announcing Palermo-Kissinger Associates resignation as Township CPA" as a discussion item to the agenda.

Motion: Dupree

Second: Trax

Deliberation: none

Roll Call: Lawson – yes Barna – yes Dupree – yes Trax - yes

Motion Carried

Supervisor Lawson left the meeting at 6:57PM.

**Discussion Items:**

Discuss authorizing Harshman CE Group to perform survey along McChain Road and prepare preliminary plans and/or recommendations on traffic calming measures. Supervisor Barna discussed driving on a similar road to McChain, and it was almost impossible to speed due to speed humps. To be put as an action item on the next agenda to allow Harshman to investigate the issue further and make an official recommendation.

Discuss quotes and procedures for adoption of recommended stop and yield signs per Harshman's August 24, 2022, letter. The ordinances are to be advertised and voted on at the next meeting.

Discuss Police Contract negotiations and preliminary quotes for service. Gladus and Dupree summarized their conversations with Chief Harris, including the increase in costs due to possibly adding another full-time officer that is specially trained in MCAP.

Discuss SEREMS proposed contract for EMS Service. Board agreed they are ready to vote on the next agenda with the proposed changes by Solicitor Sweats office considered by SEREMS.

Discuss applying for LSA Grant Funding for the proposed Maple Heights Park Project

Discuss monthly reporting on vehicles & equipment miles or hours. Conversation to be put on next agenda when Chairwoman Daerr returns, as she put this item on the agenda.

Discuss Fall 2022 Newsletter Draft. To be distributed electronically with a few hard copies available at the front desk.

Terri Gladus, project manager read the resignation of Palermo-Kissinger through the letter he sent, stating that he felt that the Township was in good standing and safeguards are in place, but he could no longer serve the Township in the capacity that it had become accustomed to and "deserved."

**Bill Pay List Approvals:**

Motion to approve Bill Pay List for the Brentwood Bank General Account in the amount of \$81,348.47.

Motion: Trax

Second: Barna

Deliberation: none

Roll Call: Barna – yes Dupree – no Trax – yes

Motion Failed

Motion to approve Bill Pay List for the Brentwood Overlook Account in the amount of \$1,784.05.

Motion: Trax

Second: Barna

Deliberation: none

Roll Call: Dupree – no Trax – yes Barna – yes

Motion Failed

Motion to approve Bill Pay List for the Brentwood Elrama Sewage Account in the amount of \$6,271.77.

Motion: Trax

Second: Barna

Deliberation: none

Roll Call: Dupree – no Trax – yes Barna – yes

Motion Failed

Motion to approve Bill Pay List for the Brentwood Escrow Account in the amount of \$1,000.00.

Motion: Trax

Second: Barna

Deliberation: none

Roll Call: Trax – yes Barna – yes Dupree – abstain

Dupree abstained due to not knowing about particular escrow account

Motion Failed

### **Correspondence**

Gladus read an email from a public comment about unpaid water bills by Debbie Sargent, 397 Mingo Church Rd.

### **Public Comment**

Charles Wilson – 316 Stone Church Rd – Addressed how mistakes are made but there should be consequences regarding unpaid water bills, and he mentioned how the public meeting was almost professional

Bernie Speer – 5106 Chevy Chase Dr. - Addressed how it is a deliration of duty to not answer the phone regarding bills

Linda Evans – 22 Parkview Dr. - Concerned with the growing township population and the SEREMS contract estimated bill. She addressed how she will be in contact with local auditors and the district attorney to investigate unpaid bills

Lori Kenavey – 6088 Brownsville Rd. EXT – Expressed concerns about the accountant that resigned and inquired about the next steps to getting a new accountant

Kevin Daerr – 6187 RT. 88 – Addressed a public comment about professionalism during the meeting, and how the unpaid bill was a mistake

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

Supervisor Dupree asked if there is a contract with auditors and why they are being paid before the audit is done

Terri Gladus, project manager addressed supervisor Dupree's comment said she will work with the staff to provide an invoice or letter from the auditing firm.

Motion to adjourn meeting at 7:24 p.m.

Motion: Trax

Second: Barna

Deliberation: none

Roll Call: Trax – yes Barna – yes Dupree – yes

Motion Carried

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Roberta J. Singer, Secretary