

Union Township Board of Supervisors  
Monthly Board Meeting  
June 24, 2013

The Board of Supervisors Meeting was called to order by Chairperson Linda Evans-Boren at 7:03 p.m. The meeting was held at the Union Township Municipal Building, 3904 Finleyville-Elrama Road, Finleyville, PA. The pledge of allegiance was recited. Board Members in Attendance by roll call were Steve Parish, Larry Spahr, Linda Evans-Boren, Andrew Tullai and Brenda Cushey. Also in attendance, Dennis Makel—Solicitor, Harold Ivery—Building Code Official, Peter Grieb—Code Enforcement Officer, Judy Taylor—Treasurer, Debra Nigon—Secretary. Carl DeiCas, Township Engineer, did not attend.

Public Comment

Frank and Mary Jo LaTorre, 7 Boyka Drive, asked to address the Board regarding Tomko. Mr. LaTorre said that seven days of the week, beginning at 6:00 in the morning, Tomko's trucks are beeping and stone is being crushed. He also said that burning occurs every day. Mary Joe LaTorre said that she called the EPA regarding Tomko's transition from a plumbing supply company to a quarry. They would like the Board to address the noise, dust, and any code violations.

Mr. Makel asked the LaTorre's to collect from residents detailed concise signed statements regarding specific incidents of possible violations so that the business can be cited.

Mr. Hal Breinig, 44 Finley Avenue, said that the Tomko problem continues and requested that the Board not stop its efforts to make the business accountable.

**Motion** to authorize the solicitor to prepare the paperwork necessary to file an injunction against Tomko dependent on detailed statements being provided by residents to the solicitor. Motion by Brenda Cushey, Second by Andrew Tullai  
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

The solicitor said that he would like the statements by Wednesday or Thursday if at all possible.

Departmental Reports

Officer Storch read the statistics for the police coverage for the month of May. There were no questions or comments.

**Motion** to approve Minutes for May 28, 2013, Regular Board Meeting as presented by the Secretary, subject to being true and correct.

Motion by Brenda Cushey, Second by Andrew Tullai

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

**Motion** to approve Minutes for May 29, 2013, Spring Road Report and Codification Workshop as presented by the Secretary, subject to being true and correct.

Motion by Larry Spahr, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

**Motion** to approve Minutes for June 10, 2013, Spring Road Report and Codification Workshop as presented by the Secretary, subject to being true and correct, with the initials on page three being spelled out.

Motion by Brenda Cushey, Second by Andrew Tullai

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

**Motion** to approve Minutes for June 19, 2013, Codification Workshop as presented by the Secretary, subject to being true and correct.

Motion by Brenda Cushey, Second by Larry Spahr

Roll call vote: Parish-abstain, Spahr-yes, Evans-Boren-yes, Tullai-abstain, Cushey-yes. Motion carried.

**Motion** to approve payroll #11 for May 24, 2013, for \$10,866.96 as presented by the Treasurer, subject to being true and correct.

Motion by Larry Spahr, Second by Steve Parish

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

**Motion** to approve payroll #12 for June 7, 2013, for \$13,945.95 as presented by the Treasurer, subject to being true and correct.

Motion by Brenda Cushey, Second by Steve Parish

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

**Motion** to approve payroll #13 for June 21, 2013, for \$10,802.94 as presented by the Treasurer, subject to being true and correct.

Motion by Steve Parish, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

## Departmental Reports

Mr. Ivery provided the Zoning/Code Enforcement report. Mr. Parish asked Mr. Ivery about whether M3 Appalachia had bonded Airport Road. ~~Mr. Parish said that he saw materials being hauled on Airport Road by trucks bearing the M3 Appalachia logo.~~ The solicitor requested that the Zoning Officer find out why ~~the trucks are~~ M3 Appalachia equipment is on Airport Road and to have M3 Appalachia bond the entire length of Airport Road if they are going to be hauling there. Mr. Ivery also said that the Township Engineer indicated that M3 Appalachia may need a Stormwater waiver due to another issue.

The Township Engineer provided a written report in advance of the meeting.

The Recreation Board had nothing to report. The Minutes from their last meeting was provided to the Board earlier.

**Motion** to approve general fund bills in the sum of \$20,786.23, as presented by the Treasurer Motion by Brenda Cushey, Second by Larry Spahr  
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

The paving bids were discussed. The bid opening was held at 3:00 p.m. and the bids were reviewed by the Township Engineer for accuracy. The Board reviewed the bid sheet which had been prepared. Mr. Parish made note that the bids ranged from a low of \$213,236.00 to a high of \$281,450.30 for paving. The low bid for seal-coating was \$24,224.64. The combined total of the projects is about \$42,000 over what was budgeted. Ms. Evans-Boren said that the paving is in a condensed area and the projects could cost more later, she asked for the Board's opinion on moving funds from the Operating Reserve. The Board, with the exception of Mr. Tullai, decided to move the necessary funds to finance the full project. Mr. Tullai said that he would prefer to stay within the budget.

### Paving Bid Results:

Bidder	Bid Amount Base Bid	Bid Amount Alternate No. 1	Bid Amount Alternate No. 2	Total Bid	Bid Bond R'cd
Victor Paving	\$116,664.00	\$55,196.00	\$41,376.00	\$213,236.00	yes
El Grande Industries, Inc.	\$119,017.50	\$54,120.00	\$41,805.00	\$214,942.50	yes
Morgan Excavating, L.P.	\$120,982.00	\$55,269.60	\$44,213.60	\$220,465.20	yes
Alex E. Paris Contracting, Co	\$123,819.00	\$54,655.00	\$43,050.00	\$221,524.00	yes
A. Folino Construction	\$128,293.27	\$58,263.00	\$47,502.00	\$234,058.27	yes
T.A. Robinson	\$148,347.25	\$65,248.25	\$52,025.00	\$265,620.50	yes
Peter J. Caruso	\$159,953.05	\$68,647.25	\$52,850.00	\$281,450.30	yes

**Motion** to award the bid to Victor Paving for the Base Bid and Alternate No. 1 and Alternate No. 2 in the grand sum of \$213,236.00 for the 2013 Paving Project.

Motion by Steve Parish, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-no, Cushey-yes. Motion carried.

Seal Coat Bid Results:

Bidder	Total Bid	Bid Bond R'cd
Suit-Kote Corporation	\$24,224.64	Yes
Russell Standard, Inc.	\$25,190.40	No
Youngblood Paving	\$28,416.00	Yes

**Motion** to award the bid to Suit-Kote Corporation for the 2013 Seal Coat Project.

Motion by Steve Parish, Second by Larry Spahr

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried

The updated Township Fee Schedule was discussed. Since the fee schedule is an amalgamation of fees that are in the Zoning Ordinance and other fees which are not, the fee schedule was tabled so that it could be determined what the most appropriate wording for the Motion would be.

Finleyville Airport was discussed. A final quote was received from Wolfgang Timber for the remaining trees.

**Motion** to award a contract of \$2,000.00 to Wolfgang Timber for that section of timber in violation which still needs to be felled.

Motion by Larry Spahr, Second by Andrew Tullai

Roll call vote: Parish-abstain, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried

Ms. Evans-Boren asked whether Wolfgang Timber would need to bond Airport Road if they are removing timber. Mr. Parish said that the trucks are leaving the property via Route 88.

The Board discussed leaving the park gates open in the evening. The Board agreed to leave the gates open 24 hours and have the police drive through in the evening and see how it goes. There are surveillance cameras at the park should any vandalism or inappropriate activities occur.

The solicitor addressed the Animal Ordinance. He said that the Township kept the barking noise portion of the Ordinance and added a requirement that properties be maintained in terms of pet droppings in the yard.

The Burning Ordinance sample was reviewed. The new Ordinance would allow burning for only three days per week. The solicitor pointed out that the Agricultural Code says that nuisance ordinances, like a Burning Ordinance, do not apply to farmers.

Mr. Makel said that the Curfew Ordinance and the Street Excavation Ordinances could be discussed further when Mr. Parish has a chance to review them.

*Board Approved: July 22, 2013 with revisions as noted*

The deduct procedure that would apply to the deduct meter recently purchased was reviewed. The procedure is similar to that used by WESA. Mr. Parish and Mr. Tullai said that the deduct meter should be calibrated every so often.

**Motion** to adopt a Resolution, No. 2013-06, setting policy for the deduct meter, with revisions provided by the solicitor as noted on the document.

Motion by Andrew Tullai, Second by Larry Spahr

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried

**Motion** to enter into an Excess Maintenance Agreement dated June 24, 2013, with Encompass Pipeline LLC with a road bond of \$12,500.00 for McClelland Road.

Motion by Larry Spahr, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried

The rotary head did not come with the tractor. The road crew requested that a rotary head be purchased so that the tractor could be more functional. The rotary head is used for getting on the other side of the guide rails and can cut overhanging tree limbs as well. The flail and rotary head were both on the old tractor.

**Motion** to authorize the Secretary and/or Treasurer to get a firm price from Walsh for installation of the rotary head in writing and to provide that price to each Supervisor and to purchase the rotary head for the Tiger mower.

Motion by Steve Parish, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried

Two quotes were received on the half basketball court. The Treasurer noted that the two quotes received were over the quote threshold and would have to be bid instead. Ms. Dorsen of the Recreation Board said that she believed Mr. Jaki was still pursuing quotes. Mr. Parish suggested to wait and see whether any additional quotes come in under the bid limit. The Board agreed to wait on more quotes.

**Motion** to purchase the Kubota lawnmower from Murphy Family Inc. in the sum of \$12,136.05 at the PA State Contract Price.

Motion by Steve Parish, Second by Larry Spahr

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried

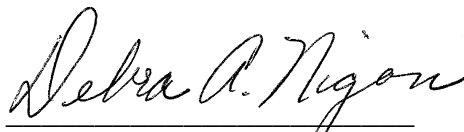
There was no Executive Session.

*Board Approved: July 22, 2013 with revisions as noted*

**Motion** to adjourn at 8:25 p.m.

Motion by Steve Parish, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

A handwritten signature in cursive script that reads "Debra A. Nigon". The signature is written in black ink and is positioned above a horizontal line.

Debra A. Nigon, Secretary