

Board Approved: July 28, 2014 with revisions as noted.

Union Township Board of Supervisors
Regular Board Meeting
July 14, 2014

The Board of Supervisors Meeting was called to order by Vice-Chairperson Larry Spahr at 7:00 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 Stephen Parish, Larry Spahr, Brenda Cushey, and Charles Trax. Also in attendance, Dennis Makel—Solicitor, Mr. Carl DeiCas—Township Engineer, Judy Taylor—Treasurer, Debra Nigon—Secretary, Harold Ivery—Building Code Official, and Peter Grieb—Code Enforcement Officer.

Mr. Spahr asked the Board to alter the Agenda due to the resignation of Mr. Tullai, Chairperson, effective last Monday. Mr. Spahr said that, as a result of Mr. Tullai's resignation, the Board has to take official action.

Motion to accept the resignation of Mr. Andrew Tullai effective July 14, 2014.

Motion by Brenda Cushey, Second Steve Parish

Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

Mr. Spahr said that the Board has 30 days to agree on an interested party as a replacement for his position on the Board. If the Board could not come to an agreement on who should fill his position, it would go to the Vacancy Board which would have 15 days to come to an agreement. If that process fails, selection of a replacement goes to the Court of Common Pleas.

Mr. Spahr asked if the Board wished to advertise the position. Mr. Parish inquired as to whether the replacement for this position would have to be a Republican since Mr. Tullai was a Republican. Mr. Spahr said that it is not mandated that the person chosen be of the same party as the elected Supervisor who vacated his position. Mr. Spahr said that the interested party would serve until the next municipal election. Mr. Tullai's term was due to expire in 2015.

Motion to place a Public Notice in the newspaper advertising for letters of interest for the open position on the Board from any interested parties with letters being accepted up until the next Regular Board Meeting on July 28, 2014 at 7:00 p.m.

Motion by Steve Parish, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

Mr. Parish asked if the Board wanted to appoint a new Chairperson and Vice Chairperson for the rest of the year and suggested that he thought it best to do so at this time.

Motion for Larry Spahr to serve as Chairperson for the remainder of 2014.

Motion by Steve Parish, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-abstain, Cushey-yes, Trax-yes. Motion carried.

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Motion for Steve Parish to serve as Vice-Chairperson for the remainder of 2014
Motion by Charles Trax, Second by Brenda Cushey
Roll call vote: Parish-abstain, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

Public Comment

Jim Wellington, Victoria Drive, asked about the web-site that Mr. Tullai maintained and said that some pages have not been recently updated on the web-site. The Board informed him of their recent decision to contract with PSATS for a minimal fee for a Wordpress web-site which would be created and maintained by the Secretary. Also, Mr. Wellington wanted to comment on the Peters Creek Sanitary Authority's approval of a salary increase and bonus for the Authority's Manager. He said that the PCSA manager's salary was increased to \$75,000 and a \$10,000 bonus was approved. He complained to the Board saying that he thought this was an unjustified increase while people are struggling to pay their sewage bill, and took a special exception to the \$10,000 bonus. The solicitor suggested that the Township make a public record request of the Sewage Authority concerning the basis for the bonus.

Michael Corace, 118 McChain Road, asked about the status of the McChain Road mud slide on his property. He also made an offer to do all the excavating on his property for the sum of one dollar. He said that, six years ago, West Penn Power, using their right of way, cut all the trees off the hill. He agreed to the solicitor's suggestion for him to sign an easement agreement with the Township allowing them to maintain the slide area. Mr. Corace asked Mr. Makel to communicate with him directly in regard to the easement agreement and slide repair as otherwise he would have to pay legal fees to his lawyer. Mr. Makel said that he would contact his lawyer about the request as there is proper legal etiquette and procedures to follow in making direct contact with clients.

Departmental Reports

Police Report. Sargeant Joe Pocsatko delivered the police report statistics and said that 58 shifts of police coverage occurred in June 2014. Mr. Spahr said the Chief laid out a plan to stop aggressive and egregious speeding on certain roads and the effort is going to continue. He said that these traffic details are additional assignments and are being paid for with the remaining 20 hours SWRPD traded for the Township's old Ford Explorer a couple of years ago.

Road Report:

Mr. Banahasky said that the Officers had received complaints from residents on speeding and had requested that the crew paint additional lines to time speeders. He also said that the crew spent most of their time cutting grass and weeds and removing debris in June as there had been significant overgrowth recently. He said that he needs to order 100 feet of pipe for the 5100 College Avenue storm water issue. Also, he inquired about the catch basins which were planned for the paving project which he did not see included on the micro-paving project. Mr. DeiCas said that he will be adding them. There was a tree on Patterson Road that was rotted and was over-hanging the road and the Township had to retain the services of tree cutter to take the tree down. Ms. Cushey asked about the broken gate at the park. Mr. Banahasky said

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that more than one person must have been required to knock it down. Also, he noted that there is work currently being done at the park on the walking trail and that the work is going well. Mr. Makel inquired of Mr. Manchin whether EQT would be willing to make a donation concerning development of the park. Mr. Manchin requested that someone place a phone call to him or Stephanie.

Since Ms. Dorsen of the Recreation Board was in attendance, she provided an update on Brownsville Park upgrades. She said that the walking trail is underway and that benches and trash cans were ordered and will be going up in a couple of weeks and that she just spoke to the contractor and he will be starting on the pavilion on Monday.

No one attended from the PCSA Board to give a report.

Motion to approve general fund bills in the sum of \$38,917.87, as of July 14, 2014, as presented by the Treasurer, subject to being true and correct.

Motion by Brenda Cushey, Second by Charles Trax

Roll call vote: Parish-yes, abstaining from anything having to do with Finleyville Airport, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

Mr. Ivery said that he received a conditional use application from EQT regarding the water impoundment which will go to the Planning Commission on July 24. Also he said that he has road bond applications for Trax Road and Sugarcamp Road. The solicitor explained that the Planning Commission makes a recommendation to the Board, and that a public hearing will be needed before the Board of Supervisors act upon the Planning Commission's recommendation. Mr. Manchin said that he will have specialists attend the hearing to answer any questions the Board may have. Mr. Spahr said that the purpose of the water impoundment is to reduce the truck traffic. Mr. Makel said that he received a letter from EQT regarding a Complaint. Mr. Makel asked Mr. Trax how he felt about the noise level. He said that he does not generally like to comment on the well site, but that he would say, for the past 30 days, he's heard noise about once a week which lasts about half an hour and invited anyone up to his home at any time to hear for themselves. Mr. DeiCas said that, since he was asked to obtain it, he had received the timing interval data from the most recent sound study and found that the way in which it was calculated and timed was standard. Mr. Manchin said that the rig that was brought in will be out by the 27th and completion activities will start. Completion activities include fracking of all the wells which will begin in September and is projected to be a four month project. The project is scheduled to be finished before Christmas. Mr. Parish asked about the well site off Cooper Road and Mr. Manchin was unable to provide any details on that well site.

Mr. DeiCas presented the bid sheets on the bids received for the McChain Road Drainage Project and the 2014 Micro-Paving Project. An additional inlet and needed pipe will be added to the McChain Road Drainage Project by Change Order.

Motion to award the McChain Road Drainage Project to Morgan Excavating in the sum of \$38,332.00.

Motion by Steve Parish, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

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Mr. DeiCas said that he spoke to the contractors and it was decided that one section of Braden Street should be taken out of the contract as it is not suitable for micro-paving. For the section which is removed from the contract, the square footage can be subtracted out. Mr. DeiCas and Mr. Parish said the contract covers roads mostly in the Dolfi Plan and McNary Plan. Two catch basins have to be poured in place, one at the intersection of Union and Spruce and one at Highland and Spruce, both of which will be added by Change Order. Mr. DeiCas said that it is in the contractor's contract to alert the public in regard to the micro-paving and the closing of roads.

Motion to award the 2014 Micro-Paving Project to Peter J. Caruso and Sons in the sum of \$130,158.60.

Motion by Brenda Cushey, Second by Charles Trax

Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

No bids were received for the 2006 Sterling truck. Mr. Parish suggested listing it in the PSATS magazine. It was noted that International had offered the Township \$28,000 on a trade, and that a minimum bid of \$25,000 had been requested which included the spreader and stainless steel hopper. Mr. Banahasky suggested putting it on the lot at Walsh. The solicitor said that he may know of an interested party. The Treasurer will send the solicitor a copy of the advertisement.

In terms of the Parking Lot Inlet Replacement Project, the engineer said that the Notice to Proceed was sent today and that the contractor has 30 days to perform the repair.

It was decided to open bids for the Coal Bluff Slide Repair at the first meeting in August. The Board had already made a motion for an earlier advertising date and opening date but that was before discovery and inclusion of repair of the new slide area which post-poned the advertisement. The Board agreed to advertise the Coal Bluff Slide Repair Project with bids to be opened on August 8 and awarded at the Regular Board Meeting on August 11.

The solicitor said that in terms of Patterson Road, it was supposed to be a temporary easement but that the drawing still says permanent easement. Mr. DeiCas said that he will make the change and send it to the solicitor.

Mr. DeiCas said that he is working on the list needed for the solicitor to file legal documents in regard to the issues at Tuscany Estates Development relative to the plan not being completed.

Mr. Spahr said he spoke with Mr. Tullai this afternoon in regard to the Airport trees on other residents' property and Mr. Tullai said to assure the Airport that he would finish gathering the information so that there would be no need to start all over again. Mr. Tullai indicated that he needed to take photographs and meet with Mr. DeiCas to mark those trees earmarked for removal so that a quote could be obtained for getting them removed. Mr. Spahr said that he mentioned tree stumps and debris would need to be removed so that there is access to remove the other trees. Mr. DeiCas was requested to discuss this with Mr. Tomko when he talks about Patterson Road since the tree stumps and debris is on Tomko property.

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In regard to the South Park illegal tap issue, South Park wants the downspouts dye tested and the Township looked at two companies to do that testing. Mr. DeiCas said that he cannot provide an estimate of cost until he knows the extent of the problem; however, if the Township were to sewer just the 500 feet on Overlook Street, it would be at an estimated cost of \$120 a foot, which is close to \$50,000-\$60,000 dollars for that portion alone. Mr. DeiCas said that the Township would probably also have to deal with the malfunctioning systems on Library Road on Route 88 and on Ash Avenue.

Mr. Makel mentioned a grant program which will be available and suggested applying for this grant from the Pennsylvania Financing Authority. The grants are for projects in the \$250,000 range and are requiring a 15% match. When Mr. DeiCas gets the dye testing results back, then he can work out the map of lots to be potentially sewered. So far, twenty-one lots were given to us by South Park to be dye tested. The Washington County Sewage Council is doing the dye test and a contractor will be selected for the down spout testing. Right now, the Township will add testing of homes where they know there are systems failing. The Treasurer asked the Board if they wanted to advance the costs of testing which are the responsibility of the home owner out of the General Fund to the contractor to facilitate timely completion of the testing to which they agreed.

Mr. Makel and Mr. Trax said that they were driving in that area and noticed that 6664 Ash Avenue had to clean up a pool and other materials and requested Municipal Consulting Services look into the matter.

In regard to approval of the garage addition final invoice, Mr. DeiCas said that the only outstanding issue is replacement of a cable to the underground [gasoline storage facility tank](#) which was broken. Also there is a window to repair in the Road Supervisor's office which can be billed separately.

Mr. Spahr asked Mr. Gibson of Jefferson Hills Ambulance to rise and provided commendations to the Ambulance Service in regard to an article which was written in the Greensburg Tribune Review honoring Jefferson Hills Area Ambulance Association as one of the top-performing units of its kind in the United States for cardiac care. Jefferson Hills Ambulance was a recipient of a Silver Performance Achievement Award given to 99 emergency medical service units across the country, 10 in Pennsylvania and one in the Pittsburgh area. Mr. Spahr requested that Mr. Gibson meet with the Board regarding what is needed in the bay for the ambulance to begin working there. Mr. Gibson said that he is very excited and can't wait to move into the central part of the Township. A fact-finding meeting was set for Tuesday the 22nd at 6:30 p.m. with Municipal Consulting Services, Mr. DeiCas and the Supervisors.

Motion to approve the final invoice of Mr. Martik, including Change Order (\$4,750), in the sum of \$115,612.45.

Motion by Steve Parish, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

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Motion to adopt a Resolution, No. 07-2014, of the Board of Supervisors of the Township of Union Providing for Supplemental Appropriations for the 2014 Budget in the sum of \$162,436.12.

Motion by Steve Parish, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

It was noted that the same resident which requested that half of Aragon Place be closed to parking during the Fireman's Carnival last year had contacted the Township to see if this could be done again as it had worked out well.

Motion to approve the request to have half of Aragon Place blocked off to parking during the Fireman's Carnival.

Motion by Brenda Cushey, Second by Charles Trax

Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

Public Comment

Mr. Matola, 21 Maple Street, who had not signed in but was later identified by Mr. Parish, commented concerning the Operating Reserve serving as the Rainy Day fund. He said that he had attended a prior Board meeting during which the auditor's report was given and asked the Board, according to the auditor's recommendation, to put some money aside in the Rainy Day fund. He would like the Board of Supervisors to decide on a percentage of monies coming in, from sources such as impact fees, which could be borrowed against by the Township at a later date, with his concern being that this gas money will end and he would like the Rainy Day fund increased before that happens.

Mr. Manchin of EQT introduced Stephanie Paluda as a newly hired EQT representative who will be the contact for the Township.

There was no Executive Session.

Motion to adjourn at 8:32 p.m.

Motion by Steve Parish, Second by Brenda Cushey

Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

Debra A. Nigon, Secretary