

Union Township Board of Supervisors
Monthly Board Meeting
July 22, 2013

The Board of Supervisors Meeting was called to order by Chairperson Linda Evans-Boren at 7:05 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, Carl DeiCas, Township Engineer. Judy Taylor–Treasurer, and Debra Nigon–Secretary. Harold Ivery–Building Code Official, could not attend due to the death of his father. Peter Grieb–Code Enforcement Officer arrived later in the meeting.

Public Comment

Ken Shandor, 6197 Brownsville Road Extension, gave comment about trucks on Route 88. He also commented on water issues during the July storms. He said that he had about 4 inches of water coming down the hillside underneath his fence and down onto the patio and flooding his gameroom.

Bill Busha, 6191 Brownsville Road Extension, also addressed the Board about the flooding of his home. On July 10, his basement collapsed. The solicitor and the Township engineer left the meeting with Mr. Shandor and Mr. Busha to view the situation on Brownsville Road Extension. They returned later in the meeting and reported that they had looked at the damage on the Brownsville Road Extension properties but could not see the property on Florence which sits above those homes as it was posted as private property.

Motion to approve Minutes for June 24, 2013, Regular Board Meeting as presented by the Secretary, subject to being true and correct, with revisions which require deletion of a sentence as noted.

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 approve Minutes for July 8, 2013, Regular Board Meeting as presented by the Secretary, subject to being true and correct.

Motion by Andrew Tullai, Second by Brenda Cushey

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

Motion to approve payroll #14 for July 5, 2013, for \$10,346.30 as presented by the Treasurer, subject to being true and correct.

Motion by Andrew Tullai, Second by Steve Parish

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

Motion to approve payroll #15 for July 19, 2013, for \$10,729.30 as presented by the Treasurer, subject to being true and correct.

Motion by Andrew Tullai, Second by Larry Spahr

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

Departmental Reports

Officer Storch delivered the police report. He read the monthly statistics. He also said that he has found that, in a disproportionate amount of instances, when a theft report is investigated, the victim has left their car, windows and house unlocked. Whether your house or vehicle was locked, is one of the first questions an insurance agent will ask when investigating a claim. He said that residents are making it easier for the perpetrators because there seems to be an over sense of security in Union Township. He urged residents to begin locking up.

Mr. Grieb said that he had just inspected the footer for the Dollar General. This completes the first inspection.

Mr. Grieb confirmed that the resident at 101 Florence Street, above Brownsville Road Extension, did receive building permits for the pool and other work on his property.

The Township Engineer provided a written report.

Earlier, the Recreation Board submitted a letter to the Board requesting that the fencing be dropped from the proposed half basketball court at Brownsville Park. Audrey Dorsen of the Recreation Board said that, since the Recreation Board members could seed and mulch on their own, the line item in the quote for seeding and mulching could be dropped as well.

The Board reviewed the basketball court quotes from Pittsburgh Asphalt minus the seeding and fence.

Motion to approve a half basketball court in the sum of \$13,350.00 from Pittsburgh Asphalt per the engineer's specifications with Pittsburgh Asphalt to do the lining of the court.

Motion by Andrew Tullai, Second by Brenda Cushey

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

Mr. Parish said that he believes there will be requests for a fence.

Ms. LaTorre, 7 Boyka Drive, wanted to know the status of Tomko since the last meeting. Subsequently, the solicitor said that he reviewed Tomko's file. He said that mining is not a

permitted use. Also, Mr. Makel said that a very stern letter was received from Tomko's solicitor since the meeting which the LaTorre's attended. Mr. Grieb said that the last grading permit Tomko received accompanied a building which had a road up to that building. Since the building was completed, this grading has continued by Tomko. Mr. Makel said that the State has passed new legislation relating to the extension of building permits which they had previously authorized. Mr. Makel said that a letter has been sent to Tomko advising them to cease and desist. He also said, at this point, a citation should be issued for no current grading permit and for mining in an area where it is not a permitted use. The Township Engineer explained that there are several types of small-mining permits which are not subject to zoning. The small operator's permit, for instance, is not subject to zoning but only allows for 1000 ton of aggregates per year and is generally used for one project like the crushing of a wall on someone's property and is not used for a continuing operation. He will research these permits.

The Board reviewed the General Fund bills. Mr. Parish questioned the purchase from C.H. Waltz Sons of the Kubota tractor. The Treasurer explained that C.H. Waltz holds the state contract and that Murphy Family Inc. was one of their affiliate Kubota tractor dealers. She was instructed to get this in writing.

Motion to approve general fund bills in the sum of \$34,026.75 minus the C.H. Waltz Bill of \$12,136.05, as presented by the Treasurer

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 pay C.H. Waltz Sons as the state contract holder, with The Murphy Family Inc. as an affiliate, in the sum of \$12,136.05 for the Kubota Lawn Tractor.

Motion by Brenda Cushey, Second by Larry Spahr

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

Motion to approve and advertise the 2012 Audit as presented by Cypher & Cypher, public auditors.

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 the Resolution 2013-08 recognizing Austin Szuminsky for obtaining Eagle Scout upon the completion of the Eagle Scout Project of reconstructing the Archery Course at Mingo Rod and Gun Club.

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 Board discussed the Complaint at 30 Scott Road. The Road foreman explained that they would like to meet the resident at the home and have the resident explain exactly what he would like done. They are hoping to go on Wednesday if it is dry.

The issue on 6187 Brownsville Road Extension was discussed. The solicitor and engineer who had returned from the site visit to the homes of Mr Busha and Mr. Shandor said that there was a considerable amount of damage to the properties from water drainage. He said that the engineer and solicitor would discuss the problem and what might be leading to so much run-off. After they do some research, the Township would get back to the residents.

There was a resident who, in a written complaint, reported that he hit a trunk from a tree which was sticking out from under a guard rail on the side of the road following the July 10, 2013, storm. He said that when he passed a car in the opposing lane he got close to the side of the road and hit the stump which bent his rim. The solicitor recommends that we do not pay for the tire rim as the Township was not negligent.

dan | The Union Valley Watershed Project was discussed. Ms. Evans-Boren said that in the area from Trax to Treva Street, about 1.2 miles, there was no existing stormwater management plan when these buildings were constructed. Once the homes are already built, it is very difficult to implement a Stormwater Management Plan to prevent this type of flooding. Twice in the past the Township applied for Local Share grant money and has been turned down. In the end of August, Congressman Murphy will meet with the Township to see whether any federal money through the Army Corps of Engineers could be used for this project which would now cost about \$1.7 to \$1.9 million dollars. The Township Engineer said that once any money is received, the priority would have to be the two bridges, at Pleasantview Park and Jack Street. The Township Engineer confirmed to Ms. Evans-Boren that the whole area is an extreme Federal flood plain and, even once the project is completed, the possibility of flooding is not completely eliminated. Ms. Daer, Route 88, said that they were unable to get flood insurance because she was told they were not in a flood plain. Mr. DeiCas said that according to the flood maps, this area is considered a flood plain but he would need to get her address to confirm that for her. Ms. Daer also requested that Union Township contact Bethel Park to see how they managed to get their flood management project funded which was successful in handling their creek project.

The Board discussed the closure of the Mitchell Power Plant. Ms. Holder of First Energy said to Ms. Evans-Boren in a phone conversation that, in order to meet EPA standards, it would cost \$932 million dollars to bring the plant up to standard. She said that Ms. Holder called what has happened indicative of President Obama's war on coal. Ms. Holder said that she would be available later next month if the Board would like her to address the issue at one of our Board meetings.

Ms. Evans-Boren said that she had information from residents that logging trucks were hauling down Airport Road. The road was just paved by PAWC. Mr. Parish said that the logging trucks did not come from the Parish property. Mr. Spahr said that residents told him that they were Wolfgang Timber trucks.

Motion to authorize the engineer to inspect Airport Road for damages.

Motion by Brenda Cushey, Second by Andrew Tullai

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

Mr. Parish said that the engineer could inspect the road, however he wanted it stated in the Minutes that the road was not used by Wolfgang Timber for hauling out the timber from the Parish property.

Motion to authorize the purchase of Dell Inspiron 17R notebook computer with a 17" screen and Windows 7 Professional computer for the Treasurer's use not to exceed \$900.

Motion by Andrew Tullai, Second by Larry Spahr

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

Considering recent high temperatures, access to cold water and electrolytes by the road crew was discussed. Obtaining a price on new fountains and on polar water was discussed. The Secretary will ask the Road Superintendent to get a total price on everything for the next meeting.

Motion to get a total price on the purchase price of a new fountains, an ice machine for the garage and a polar water type water system for the building and individual 2.5 gallon insulated jugs for each truck so that each member of the road crew has access to ice water.

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 go to Executive Session at 8:59 p.m. for purposes of discussing personnel and potential litigation.

Motion by Brenda Cushey, Second by Andrew Tullai

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

Mr. Parish left Executive Session at 9:05 p.m.

The Board returned from Executive Session at 9:30 p.m.

The solicitor stated that they discussed items involving the Ondra Property, the Sutton Property, and the Airport property.

Motion to appeal the Sutton determination.

Motion by Andrew Tullai, Second by Larry Spahr

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

Board Approved: August 26, 2013 with revision as noted

Motion to hire Scott York to review the Ondra appraisal and advise as necessary.

Motion by Larry Spahr, Second by Brenda Cushey

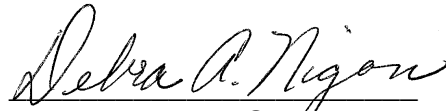
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

Mr. Spahr commented on Patterson Road and Mr. Snee's letter of determination on the problems resulting from the recent flash flooding. The Township Engineer has received a copy and will review the situation.

Motion to adjourn at 9:32 p.m.

Motion by Larry Spahr, Second by Brenda Cushey

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



Debra A. Nigon, Secretary