

Union Township Board of Supervisors
Regular Board Meeting
July 28, 2014

The Board of Supervisors Meeting was called to order by Chairperson Larry Spahr 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 Stephen Parish, Larry Spahr, Brenda Cushey, and Charles Trax. Also in attendance, Dennis Makel—Solicitor, Carl DeiCas—Township Engineer, Judith Taylor—Treasurer, Harold Ivery—Building Code Official, and Peter Grieb—Code Enforcement Officer. Debra Nigon—Secretary did not attend.

Public Comment

Jim Wellington, 19 Victoria Drive, inquired of the solicitor if he had reviewed the code of laws governing Authorities to determine if an Authority can legally award a bonus to an employee. Mr. Makel stated that it is within their legal bounds, but that the Board of Supervisors is free to discuss this matter or any other with their appointed representatives.

Ed Ihnat, 228 Stone Church Road, stated that tree branches on Stone Church Road, Lobbs Run Road and Aber Road, and other roads in Jefferson Hills Borough are hanging low enough to be hazardous and possibly cause damage to his commercial truck. The road crew will review Township-owned Lobbs Run and Aber Roads, but Stone Church is a state-maintained road and the Board has no jurisdiction. The Board agreed to send a letter to Penndot alerting them to the situation.

Motion to send a letter by regular and certified mail to the Washington County Maintenance Department of Penndot to inform them of the potentially hazardous condition of low hanging tree branches on Stone Church Road, and to copy the offices of Rep. Rick Saccone and Sen. Tim Solobay

Motion by Steve Parish, Second by Brenda Cushey

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

Mr. Gary Baumgardner, 47 Cardox Road, commented that he had made a number of complaints to the Code Enforcement Officer concerning noise and noxious odors issuing from the EQT Trax Farm Marcellus well pad. He stated his interpretation of the Township's Oil & Gas Amendment to the Zoning Ordinance required EQT to perform a new sound study after each complaint. Mr. Makel will respond to Mr. Baumgardner's comments promptly.

Departmental Reports

Ms. Audrey Dorsen of the Recreation Board said that some work had been done on the walking trail, but the pavilion had not yet been started by the contractor at the Brownsville Road Extension Park.

The zoning officer presented his report. Mr. Ivery noted that the engineer needed to review the video of the road surfaces as supplied by McDonald Land Services prior to their use of the roads for seismic testing, and to review the current conditions to determine if any damage occurred in order to release their bonds.

The engineer presented his report and noted that he had met with Jefferson Hills Ambulance to review the requirements to finish the garage addition to their specifications. It was noted that the ambulance service has offered a large backup generator that could possibly be tied into the garage's current electrical system. Bob Gibson, Jefferson Hills Ambulance, stated that he had reviewed the call logs and that the ambulance had responded to over 2,000 emergency calls alone over the last three and a half years.

Motion to approve the minutes of the June 23, 2014 regular Board Meeting, as presented by the Secretary, subject to being true and correct.

Motion by Steve Parish, Second by Brenda Cushey

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

Motion to approve the minutes of the July 2, 2014, Mid-Year Budget Review Workshop as presented by the Secretary, subject to being true and correct.

Motion by Steve Parish, Second by Brenda Cushey

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

There were two amendments to the minutes of July 14, 2014: addition of Mr. John Matola, 21 Maple Street, comment concerning the Operating Reserve serving as the Township's Rainy Day fund; and addition of the word gasoline regarding the underground storage tank.

Motion to approve the minutes of the July 14, 2014, Regular Board Meeting as amended, subject to being true and correct.

Motion by Brenda Cushey, Second by Steve Parish

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

Motion to approve Payroll #14 dated July 3, 2014, in the sum of \$9,709.33 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, Cushey-yes, Trax-yes. Motion carried.

Motion to approve Payroll #15 dated July 18, 2014, in the sum of \$8,795.60 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, Cushey-yes, Trax-yes. Motion carried.

Motion to approve general fund bills in the sum of \$148,759.58, as of July 28, 2014 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, Cushey-yes, Trax-yes. Motion carried.

Motion to approve Ordinance No. 2014-03 amending the township zoning map in relation to the Jaki-Latonna request

Motion by Steve Parish, Second by Charles Trax

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

Mr. Spahr reported that the Board received three letters of interest in the appointment of Supervisor: Paul Chasko, Heather Daerr, Larry Speer. The Board held the issue in abeyance for review in executive session after conclusion of other agenda business.

Motion to contact Dagostino Electronic Services to repair the camera in the lobby area, and to meet with the supervisors to re-position the camera now enclosed by the garage addition to a more useful area

Motion by Steve Parish, Second by Brenda Cushey

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

Motion to approve transfer of funds from the Local Share Account Fund to the General Fund in the amount of \$375,737.59 to reimburse expenditures for the Maintenance Garage Addition Project

Motion by Steve Parish, Second by Brenda Cushey

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

Motion to approve Change Order No. 3 in the amount of \$31,887.23 for the 2013 Paving Project; and to pay Victor Paving and Construction for the 2013 Paving Project with \$146,000 from the Liquid Fuels Fund, \$136,307.10 from the General Fund, for a total expenditure of \$282,307.10

Motion by Brenda Cushey, Second by Steve Parish

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

Mr. Ivery presented the Planning Commission meeting minutes dated July 24, 2014 that tentatively approved the request for a conditional use for a water impoundment by EQT relating to the fracturing of the Trax Farm Marcellus wells. There were a number of minor matters that needed to be addressed that Mr. Ivery felt could be completed quickly in time for the next Planning Commission meeting and any hearing date set by the Board.

Motion to schedule a public hearing on Wednesday, August 27, 2014 at 6:30 p.m. on the request from EQT for a conditional use for establishment of a fresh water impoundment for the purpose of fracing of a number of unconventional gas wells on the Trax Farm well pad, with appropriate notice and advertisement pursuant to the MPC Motion by Brenda Cushey, Second by Steve Parish
Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-abstain. Motion carried.

The Code Enforcement Officer asked the Board to review the changes he proposed be made to the burning ordinance that will be included in the codification.

The Army Corp of Engineers sent an email requesting that the Township accept a change in the name of the person who will be signing the deed for the Corps for the Nike site. The solicitor advised the Board to accept the change in order to avoid a lengthy paperwork process.

Motion to approve the minor changes to the deed for the Nike Site requested by the U.S. Army Corps of Engineers relating to the name of their signatory party, and to authorize the solicitor to effect the required action as presented in the Corp's correspondence
Motion by Steve Parish, Second by Brenda Cushey
Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

Mr. Parish noted the correspondence from WEC Consulting Engineers requesting a letter from the Township confirming that the Venetia Bridge Replacement Project on Rankintown Road meets the requirements of the Township's Stormwater and Floodplain Management ordinances.

Motion to authorize the engineer to review the Venetia Bridge Replacement Project design specifications in relation to the Township's Stormwater and Floodplain ordinances, and to respond to WEC Consulting Engineers in cooperation with the secretary
Motion by Steve Parish, Second by Brenda Cushey
Roll call vote: Parish-yes, Spahr-yes, Cushey-yes, Trax-yes. Motion carried.

Public Comment

Rick Lawson, 561 McClelland Road, addressed the Board in relation to storm water that is entering his business office from Lincoln Avenue in Finleyville. He was told by Finleyville Borough that the problem needed to be resolved by placement of curbs in Union Township. He also noted that the edges of McClelland Road have deteriorated from heavy rains and traffic to cause the narrowing of the road to the point that two

school buses cannot pass safely. Mr. Parish said he and the road foreman will review both situations.

Motion to go to Executive Session for purposes of personnel and possible litigation at 8:20 p.m.

Motion by Steve Parish, Second by Brenda Cushey

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

The Board returned from executive session at 8:45 p.m. The solicitor stated that in executive session the Board discussed possible litigation involving Tomko, EQT and issues involving personnel, road crew negotiations, and scheduled an executive session on Thursday, July 31, 2014 at 6:30 p.m. for purposes of discussion of Teamsters negotiations.

The Board scheduled an introductory session for those individuals interested in appointment to the Board of Supervisors for Monday, August 11, 2014 at 6:30 p.m. Each individual will have ten minutes to present their credentials and offer their views and/or ideas regarding this service to the community.

Motion to adjourn at 8:46 p.m.

Motion by Steve Parish, Second by Brenda Cushey

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

Judith L. Taylor, Asst. Secretary