

Union Township Board of Supervisors
Regular Board Meeting
September 22, 2014

The Board of Supervisors Meeting was called to order by 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 Paul Chasko. Charles Trax could not attend. 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.

Public Comment

Tom Ladley, 6 Overlook Street, spoke regarding the Overlook sewage situation. He took exception to a letter he received from the Township which said that he had refused a mandatory dye test by the sewage officer of Washington County Sewage Authority. He said the first letter he received said that the sewage officer was to contact him to schedule a dye test and that he was not contacted. He said that the test was not refused as indicated in the letter from the Township. The resident said that, subsequently, he has tried to contact the sewage officer to schedule the dye test. Mr. Glumack, the sewage officer, is currently on vacation and not available. The Treasurer will follow-up with the sewage authority to have the property dye tested.

Rick Kriston, Jr., 4498 Finleyville-Elrama Road, neighbor to a burned out home, complained that 45 days have passed and there is still no manhole cover on the property owned by Mr. Hoey and the house has not been boarded up. He further said that, because weeds are growing up over his fence, he has been weed whacking a four foot stretch on the neighbor's property several times per year to keep the weeds from taking over. Mr. Ivery provided an update. He said that he has been in touch with the contractor who told him that Mr. Hoey received an insurance check for the damages. The contractor expects work to start most likely next week. Mr. Ivery will contact him tomorrow especially on the boarding up of the home. Mr. Ivery said that he has been working with the contractor on the list of work which needs to be done as he prepares to start performing the demolition and re-build. Mr. Ivery said that there would be a mandatory waiting period following the issuance of a citation and the owner, via the contractor, is in contact and appears to be moving forward and cooperating on the necessary corrective actions.

Mr. Grieb said he went down to look at the manhole cover as did WESA. The gentleman from WESA and Mr. Grieb were both looking for the open manhole towards the main and couldn't find it initially. The Treasurer said that the reason the manhole is still uncovered is because it is an odd size and, since there isn't one available that size, it had to be ordered. She believes that West Elizabeth Sewage Authority said that it would be delivered next week. The Treasurer also mentioned that a pallet has been pulled over the open manhole until such time as the cover arrives from the manufacturer.

Mr. Kriston also said that the situation with accelerants has not been handled. The officer on duty, Detective Schwartz, said that there is no evidence of accelerants. Officer Schwartz said that, after the fire, the State Police and Fire Marshall were also in the building and had not seen any accelerants. Mr. Kriston said that he went into the home with the owner's son who walked him into the garage underneath the building to show him his '57 Chevy. At that time, he said that he saw a 100lb propane tank laying down on its side. A SWRPD officer will look again for accelerants in the building.

Departmental Reports

Audrey Dorsen of the Recreation Board said that, Jeremy Amann, who has been working on his Eagle Scout badge, has finished the bridge project at Brownsville Park with his family and friends who also worked on cleaning and painting timbers, as well as assembling and installing benches and garbage cans. They will be installing the barbecue grill and dog waste collection bags next week.

Zoning Officer, Harold Ivery, said that the fire department, DEP and SWRPD were at the scene on Patterson Road relative to a spill by workers who had been drilling underneath the creek as part of Sunoco's construction of a pipeline. The spill consisted of a slurry mix containing bentonite which was released into the creek. Mr. Spahr said, according to the most recent reports he's seen, the spill is almost completely cleaned up.

Mr. Grieb said that he and Mr. Ivery have been experiencing glitches in the Microsoft Access database used in the Township Office. He would like to have their Microsoft Access consultant come in to see what could be causing the software problem. They will have the consultant provide a quote to the Township.

Mr. DeiCas said that Creative Enterprises finished the Inlet Project and he believes they did a nice job. The invoice came late this afternoon and he recommends approval. Mr. Parish said that down the manhole there is currently a "T" going into a 2 foot pipe which makes it easier for someone to get into the inlet and clean it out.

Mr. DeiCas said that by Wednesday the micro-paving crew is expecting to be complete. This ending date would be within the scope of the contract.

Mr. DeiCas brought the contracts for the Coal Bluff Slide project for the Board's signatures. Once it is executed by the Board and contractor, he will issue the Notice to Proceed and have the preconstruction meeting.

Mr. Parish said that he and Mr. Chasko and Mr. DeiCas met with the railroad about the headwall on Snee Road. He said the railroad is going to build up the side of the road with stone so that jersey barriers can be placed there.

Mr. DeiCas said that the contracts were sent to Morgan Excavating for the Agulia and McChain drainage project. Mr. Parish added that up on McChain Road there is an area along the guide rails where people have been throwing branches and grass which has been causing the hill to slide out resulting in an area of 100 to 150 feet which will have to be addressed. He said that

the guide rails are even starting to slide out. The Supervisors will look at that area during the Fall Road Inspection. The possibility of placing no dumping signs was briefly discussed.

Mr. DeiCas communicated that Jefferson Hills Ambulance went over the plan for the garage addition interior which has been forwarded to Mr. Ivery and Mr. Grieb for their review. When review is complete, Mr. DeiCas will meet with Mr. Martik to go over pricing.

Mr. DeiCas said that he is still working on the list for the Tuscany Estates issue and will get it to Mr. Makel.

Mr. DeiCas said that the DEP has not yet been to Jason Park to investigate the suspected mine subsidence.

Motion to approve the Minutes of the August 25, 2014, Regular Board Meeting, as presented by the Secretary, subject to being true and correct.

Motion by Steven Parish, Second by Brenda Cushey

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

Motion to approve the Minutes of the August, 27, 2014, Conditional Use Hearing as presented by the Secretary, subject to being true and correct, with minor revision to the heading title.

Motion by Steven Parish, Second by Paul Chasko

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

Motion to approve the Minutes of the September 8, 2014, Regular Board Meeting as presented by the Secretary, subject to being true and correct.

Motion by Steven Parish, Second by Paul Chasko

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

Motion to approve Payroll #18 dated August 29, 2014, in the sum of \$8,133.63 as presented by the Treasurer, subject to being true and correct.

Motion by Steven Parish, Second by Brenda Cushey

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

Motion to approve Payroll #19 dated September 12, 2014, in the sum of \$9,095.90 as presented by the Treasurer, subject to being true and correct.

Motion by Brenda Cushey, Second by Paul Chasko

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

Motion to approve general fund bills in the sum of \$36,607.59, as of September 22, 2014, as presented by the Treasurer, subject to being true and correct.

Motion by Steven Parish, Second by Brenda Cushey

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

The meeting will be continued until September 25, 2014, Thursday, at 7:00 p.m., because the solicitor just provided the Findings of Fact and Conclusions of Law to the Board for their review.

Mr. Baumgardner asked to comment and read aloud from the EPA website regarding drilling activities, saying that 20-30% of water put into a well comes back as flow back, drillers are urged to recycle their fracing water, and that chemicals are stored on site and can spill which can result in contamination of ground water. Mr. Manchin said that the contents of the frac water tank will be recycled at another site. Mr. Spahr commented that he has learned the DEP will write regulations in the near future regarding the specifications which must be met for impoundment liners due to the leaks from waste water impoundments recently reported in the news. Mr. Baumgardner was concerned about self-inspections by drilling companies in Pennsylvania. Mr. Makel suggested that perhaps it would be possible for Mr. DeiCas, or a designee, to test the water on a regular basis. Mr. Makel will look into that possibility.

The Board will look at the Jake Brake Ordinance which Mr. Makel prepared for the next meeting.

Motion to purchase a desk top computer in the sum of \$901.38 for a computer from Dell, Quote #691512434, for the Zoning / BCO Officer.

Motion by Brenda Cushey, Second by Paul Chasko

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

Regarding the Overlook Street issue, Mr. DeiCas said that he has a map which may not be complete to take to South Park if there are dye tests still outstanding. Mr. Ladley, a resident from Overlook Street, said that, due to the sewage issue, his neighbor has completely lost access to her driveway because an open manhole and sump pump is still remaining in the middle of her driveway.

Mr. Makel announced that the Township has had the deed to the Nike Site recorded and is now owner of the property. Mr. Makel confirmed that the Township owns the oil and gas rights. Mr. Spahr suggested that the Township have gas exploration done on that property to see if it could be used to generate revenue. Also, he believed that there should be some acknowledgement given to Senator Murphy for his assistance to the Township in obtaining that property while at the same time we acknowledge the move of Jefferson Hills Ambulance into the garage addition. Once Jefferson Hills is ready to move into the new bay, a recognition event will be organized.

Motion to pay Creative Enterprises \$14,400.00 per their contract with the Township for the Parking Lot Inlet Replacement Project

Motion by Steven Parish, Second by Brenda Cushey

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

Motion to approve the Change Order in the sum of \$8,220.00 to Peter J. Caruso & Sons for the 2014 Micro-paving Contract.

Motion by Brenda Cushey, Second by Paul Chasko

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

Mr. Chasko reviewed a document provided to him by Mr. Tullai relative to the homes proximate to the Finleyville Airport who had trees in violation of the Airport Zoning Ordinance. Mr. DeiCas said that some of the trees had been marked with paint; however, at that time, not all

the owners had been contacted, so some trees were not marked. Mr. Chasko reviewed pictures of the trees to be cut which were in circled groupings. He said that, if the groups of trees in violation are cut, within a few years, there are other groups of trees which will come into violation. Mr. Chasko asked if it was the Board's responsibility to pay for the tree cutting for every round of trees that need to be cut. Mr. Makel suggested that the Township clear cut the treed area in the fly zone location formerly identified by Penn Dot and request that the owners plant no more trees or allow any to grow. Mr. Makel asked Mr. DeiCas to arrange a meeting with the owners, the Board, and the solicitor who will prepare a possible agreement to that effect.

The PA American correspondence received by the Township indicating that it was required to install back flow devices was discussed. Mr. Parish said that there is already a check valve at the park and one at the municipal building. Mr. Parish will look into the correspondence and let the Treasurer know if there is anything needed.

The Treasurer said that she prepared the required Minimum Municipal Obligation (MMO) paperwork for the active pension plans, using three union employees for the non-uniform Teamsters pension plan, and two employees for the non-uniform, non-bargaining PMRS pension plan. Although the Board has not yet made a decision on the replacement of the Road Superintendent who was a non-uniform employee, she explained that she prepared the MMO for the PMRS as it had been done in the past so that, if the Board were to fill that opening, they would be prepared in regard to the MMO required for funding the pension. The solicitor said that he would like to try to negotiate the amount of the required contribution to the Teamsters Plan. The Board agreed to allow that; however, the MMO's need to be submitted and need to be approved by the due date.

Motion to approve the MMO for the Teamsters Non-Uniform Pension Plan for three employees in the sum of \$13,988.52

Motion by Paul Chasko, Second by Paul Chasko

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

Motion to approve the MMO for the PMRS Pension Plan for two employees in the sum of \$6,040.00.

Motion by Steven Parish, Second by Brenda Cushey

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

Fall Road Inspection was briefly discussed. Mr. Parish will coordinate with Mr. Banahasky, Carl DeiCas, and any other interested Supervisors.

Motion to set Halloween Trick or Treat for 6:00 p.m. to 8:00 p.m. for Friday, October 31, 2014.

Motion by Steven Parish, Second by Brenda Cushey

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

Motion to advertise three Fall Leaf Pick-Up days with leaves to be placed in biodegradable bags with branches bundled on Monday, October 27, Monday, November 3, and Monday November 10, 2014.

Motion by Steven Parish, Second by Brenda Cushey

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

Jefferson Hills Borough contacted the Township to set up meetings with the solicitors and engineers and discussed possibly working on a new agreement. They expressed a desire to have Union Township be an equal partner in the decision making process. It was discussed that our current agreement with West Elizabeth Sanitary Authority is more recent than is theirs. It was decided that the engineer and solicitor should attend future meetings related to the new treatment plant construction.

Motion to approve the Resolution, 2014-09, adopting the Peters Creek Regional Act 537 Plan.

Motion by Steven Parish, Second by Brenda Cushey

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

Mr. Cushey, who had been cleaning the park on a weekly basis, sent a letter to the Board stating that he will be unable to continue his weekly cleaning of the park restrooms since he is moving out of the Township.

Motion to accept the resignation of James Cushey as janitor for Brownsville Park.

Motion by Steven Parish, Second by Paul Chasko

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

There was discussion regarding a letter of interest which was provided to the Board for the once weekly cleaning of the restrooms by Mr. Troy Pauley. Ms. Cushey said that Mr. Pauley is a resident of Monongahela who she knows as an employee in the Finleyville Post Office. She said that Mr. Pauley expressed to her father an interest in taking over the cleaning contract and in finishing out the remainder of the 2014 contract period which will end after the last weekend in October. Ms. Bernadette Speer who was in the audience said that there was someone who lives in the trailer park across from Brownsville Park who was asking about performing the weekly cleaning for the Township. She said that the resident mentioned it to her when she came to pay her taxes.

It was noted that Mr. Cushey had said the rest rooms were in a deplorable condition when left open and that he has learned that other municipalities lock the rest rooms when there are no scheduled activities because of the vandalism and abuse of facilities which occurs. It was discussed that port-a-johns will be placed in the future for users of the walking trail and park when it is open to the public but not officially scheduled or rented.

Motion to hire Troy Pauley temporarily through the end of October 2014 to fill the void left by the resignation of Mr. Cushey.

Motion by Brenda Cushey, Second by Paul Chasko

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

Board Approved: October 27, 2014

Motion to advertise for a part-time janitor for the Brownsville Park concession stand for the 2015 season with work to begin March 1, 2015 and ending October 31, 2015.

Motion by Brenda Cushey, Second by Paul Chasko

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

Ms. Speer, present at the meeting, said that Mr. Skrinovrich at the Ringgold School District says that the tax collectors are responsible to collect the taxes for the entire year on properties which have been demolished; however, she is not receiving a copy of the demolition permits. It was noted that South Park Mobile Estates has been, as a courtesy, demolishing abandoned and vacant trailers and placing new trailers in their place which can later be sold to a new owner and taxpayer. Ms. Speer said that, when South Park Mobile Estates removes the vacant trailer, she is not receiving the proper paperwork which would alert her to attempt collection of the taxes from the owner of the abandoned property. Before a demo permit is granted, the person making that application must get a Permit to Remove indicating the property is free and clear on taxes. If the taxes remain unpaid, the property cannot be demolished.

Delinquencies for street light and per capita tax have not been collected in two years. The tax collector said she was waiting for a collection letter to be written by the solicitor. The secretary said the letter had been written some time ago but the tax collector could not use the letter because the per capita and street light taxes are collected together on one invoice but the penalties for non-payment are different from one another. It was discussed that the codification would standardize those penalties. Mr. Makel will prepare a letter for Ms. Speer for collection of delinquent accounts.

On Thursday, October 24, there will be meeting in South Hills regarding the Overlook sewage issue.

Public Comment

Mr. Nebash asked about the price differential between the micro-paving done in 2014 versus regular paving. Mr. Parish said that, if milling is also required, it is three times the cost and, without any milling, paving would be twice the cost. Mr. Parish said tar and chipping is more inconvenient to the residents; therefore, many local Townships do micro-paving instead. Mr. Nebash said that he does not like the way it looks. Mr. Spahr said that micro-paving does not look like paving as it only seals cracks; however, when the Township tar and chipped there were many complaints. He explained that micro-paving is another option to extend the longevity of the roads as an alternative to the tar and chipping.

Motion to Continue the Meeting until Thursday, September 25, 2014, with an Executive Session at 6:30 p.m. with continued meeting beginning at 7:00 p.m.

Motion by Steven Parish, Second by Brenda Cushey

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

Board Approved: October 27, 2014

There was no Executive Session.


Debra A. Nigon, Secretary