

Union Township Board of Supervisors
Regular Board Meeting
October 27, 2014

The Board of Supervisors Meeting was called to order by Chairperson Larry Spahr 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 Stephen Parish, Larry Spahr, and Paul Chasko. Mr. Trax did not attend, and the Supervisor position previously held by Brenda Cushey is still being advertised. 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

Ms. Bernadette Speer, real estate tax collector, commented on tax collection items on a recent agenda. The agenda for September 22, 2014, contained two tax collection items, one on a demolition permit issue which she had contacted the chairperson about directly and another item on delinquent collections of which she said she had no foreknowledge. She said that someone in the municipal office should have notified her that these tax collection items were on the agenda. Although she was in attendance at the meeting in question and was able to respond, she said that she does not always attend and had recently missed two meetings. She said that if an issue involving an individual is on the agenda, then that individual should be notified so that he/she can appear at the meeting to address the issue. She also said that she had requested that the solicitor write a tax collection letter to send out to delinquent residents which the solicitor had agreed to provide. She has not yet received the letter from the solicitor, as promised, for the streetlight and per capita delinquencies which she had been appointed by the Board to collect. The solicitor acknowledged that it had not yet been sent and will be getting something out to her.

Mr. LaTorre and Mr. Brienig from Boyka plan commented on the permit Tomko received to remove the wall on his property. Mr. LaTorre said the residents were not notified that Tomko would be resuming work on the high wall. Some residents had complaints of noise due to the back-up beepers of the equipment/trucks in use. Also, Mr. Breinig informed the Board that dust is kicking up and is not being watered down. They are concerned also because Mr. Tomko told them that he will seek to work on Sunday as this is not prohibited by the Township's Ordinance. The solicitor said that the current work being done was requested by the DEP. Mr. Breinig mentioned the Dust Ordinance which had not been adopted. The solicitor said that he had provided for review by the Board a sample grading and construction ordinance which could be revisited and placed on the agenda. The solicitor will pursue a separate consent order on the Sunday issue which was a condition placed on the construction activities by motion of the Board at a recent meeting.

Mr. Brienig also asked about the trailer park in Gastonville where there are issues with trailers caving in, junk cars, and reports of vermin and illegal activity.

Departmental Reports

Mr. Ivery said that there are various issues at the Gastonville, Stone Church Road, trailer park and that they are working on them one by one. Mr. Ivery and Mr. Grieb said that there is a property with many junk cars that is being rented out by the owner. The vehicles are owned by the renter. The owner has notified the renter that the vehicles have to be moved. Mr. Grieb and Mr. Ivery spoke with the renter tonight.

Some members of the Board and the solicitor commented on the currently full dumpster on the property of Mr. Hoey who owns the home on Finleyville-Elrama that burned and is undergoing construction. They also commented on some possible structural issues which may exist with the residence. Mr. Ivery said that there are some conditions that must be met prior to issuing a building permit. The Board requested Mr. Ivery to discuss with the owner any advantage there may be, in his particular situation, of demolishing the property and completely rebuilding.

Mr. DeiCas delivered the engineering report. He said that he spoke with Mr. Martik recently regarding the estimate for the interior of the garage addition, but that Mr. Martik is waiting for information from his electrician. When Mr. Martik receives the information needed from his electrician, he can supply the estimate.

The solicitor addressed the items which he has been handling for the Board. A boiler plate oil and gas lease agreement was received by the solicitor from EQT which the solicitor does not recommend for approval by the Board in regard to the terms of the agreement. He will contact Rice and Range Resources about lease terms in the vicinity. Mr. Chasko commented that the boiler plate lease document includes rights to all strata and questioned whether it should be rewritten to include only the Marcellus shale. The solicitor said leasing companies are getting less inclined to lease separate stratas. The solicitor also said that other elements which should be considered in terms of the lease agreement are storage, which could tie up property, and conditions involving an extension of the lease. Mr. Spahr asked for a critique of the boiler plate and requested sample language from the solicitor on what would be the most plausible best-case scenario terms for a lease. Mr. Parish said that he believes it would be beneficial to include language that the Township would receive a portion of any future sale of the lease.

The solicitor said that, in executive session, he will be discussing road crew negotiations. Also, he said that he will be attending a meeting tomorrow with WESA and the attorney for Jefferson Hills Boro at 10:00 a.m. to discuss a new agreement in relation to the new sewage treatment facility planned in West Elizabeth.

The solicitor commented on Tuscany Estates and will be finalizing documents this week. He plans to include a right to enter onto the property to place a guide rail on Grossetto Drive as a safety barrier. He also said that part of the lawsuit will include certain aspects involving the homeowner's association (HOA) which was in the developer's agreement with Quaker Engineering.

Motion to approve the Minutes of the September 22, 2014, Regular Board Meeting, as presented by the Secretary, subject to being true and correct.

Motion by Steve Parish, Second by Paul Chasko

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

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

Motion by Steve Parish, Second by Paul Chasko

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

Motion to approve the Minutes of the September 29, 2014, Continued Budget Workshop as presented by the Secretary, subject to being true and correct.

Motion by Paul Chasko, Second by Steve Parish

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

Mr. Parish commented on the meeting of October 13, 2014, in relationship to verbal comments which were made indicating that the Board did not know about the addition of Gun Club Road to the 2013 paving project which had been delayed until Spring 2014. He said, with confirmation by Mr. DeiCas, that the Board approved three separate change orders in relationship to the deviations and addition to the contract. He also pointed out that no Liquid Fuel monies were ultimately withheld due to the additional scope.

Motion to approve the Minutes of the October 13, 2014, Regular Board Meeting as presented by the Secretary, subject to being true and correct.

Motion by Paul Chasko, Second by Steve Parish

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

Motion to approve the Minutes of the October 20, 2014, Continued Budget Workshop as presented by the Secretary, subject to being true and correct.

Motion by Paul Chasko, Second by Steve Parish

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

Motion to approve Payroll #20 dated September 26, 2014, in the sum of \$8,524.75 as presented by the Treasurer, subject to being true and correct.

Motion by Steve Parish, Second by Paul Chasko

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

Motion to approve Payroll #21 dated October 10, 2014, in the sum of \$8,792.62 as presented by the Treasurer, subject to being true and correct.

Motion by Paul Chasko, Second by Steve Parish

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

Motion to approve Payroll #22 dated, in the sum of \$8,740.31 as presented by the Treasurer, subject to being true and correct.

Motion by Steve Parish, Second by Paul Chasko

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

Motion to approve general fund bills in the sum of \$24,849.48 as of October 27, 2014, as presented by the Treasurer, subject to being true and correct.

Motion by Paul Chasko, Second by Steve Parish

Roll call vote: Parish-yes (later abstaining from the reimbursement to Mary Parish for repair of her fence), Spahr-yes, Trax-absent, Chasko-yes. Motion carried.

Mr. Parish mentioned that he mistakenly did not abstain from the vote on the General Fund bills. This would not have changed the outcome of the above Motion which was unanimous.

Mr. DeiCas brought the map prepared for the Overlook Street sewage issue and reviewed it at the table with the Board. He explained that there will be 23 affected homes and the project is showing approximately \$390,000 dollars in hard costs not including the tie in on one side or the other of South Park's sewage system. The project may be half a million in total costs or more. The solicitor inquired about how DEP would rate the Township for the project. Mr. DeiCas said that we have to determine the scope of the project and funding issues; however, he had no doubt that we would receive a good rating for the work as it is recommended by the DEP. At most, the project would represent one million in costs involving six months of design work. The engineer noted that one of the factors will be paying for and acquiring right-of-ways. Mr. DeiCas said that he wants to locate the tie-ins for the South Park sewage lines. Mr. Chasko mentioned that South Park will have DEP at their December meeting; but, perhaps Union Township could meet with DEP regarding scope as well. Mr. DeiCas will contact Emily Shade to set up a preliminary meeting with DEP.

Mr. Parish said that Barner Plumbing is purchasing a special fitting necessary to resolve the issue of sewage leaking out of the hole in the driveway of Mrs. Stich who lives in the Overlook area. Mr. Parish questioned why the Township should pay for these repairs when the gas company caused the damage leading to the current situation.

Mr. Chasko said that, per the preliminary estimates he received from tree cutters which put the airport tree removal project for adjacent residents in the \$17,000 dollar range, he believes it best to put the project out to bid since bids, and not quotes, are required at the \$19,000 dollar threshold. All potential bidders will have to be on the same footing. The trees will have to be marked and a pre-bid meeting must be held for pre-bid applicants. Mr. DeiCas said that he has a map and total acreage numbers with which he can assemble a bid package. Mr. DeiCas said that the trees are marked and the map is done. The solicitor inquired of individuals representing the airport who were present at the meeting as to whether there is any grant funding available and if they were willing to participate by contacting the Aviation Bureau for grant money. The airport representatives said that they have other grant applications pending which have been submitted to the Aviation Bureau for other projects. The airport also said that the original model airport zoning ordinance had said property owners should pay for removal of the trees, but that the model ordinance was changed by Union Township. There was some dispute about that matter among those present but the matter could not be confirmed during the meeting. The solicitor said that he would contact the Aviation Bureau.

Mr. Spahr commented about the College Street and Lobbs Run Road repairs which were on the agenda. He said that he receives many complaints and that someone who has the skills is

directly needed to provide leadership, and to plan and organize these public works repairs and others such as cold patching which has not yet been done this year. Also, he noted other projects which are still outstanding such as a repair issue under one of the bridges and a washout on McChain Road. Mr. Spahr expressed great frustration with the washout issue and with the issue involving the gentleman on College Street who has been waiting for repairs agreed to by the Township following his attendance at a couple of meetings during which he complained about the property being flooded out in the past. Mr. Spahr said that it is the obligation of the Supervisors to get this situation, and others, corrected.

dan | Mr. Parish reported that the repair near Mr. Raposky's property on Lobbs Run Road was completed. Mr. Parish said that he went down to Lobbs Run Road with ~~four~~three men, this past Monday or Tuesday, to clear the culvert which was the subject of Mr. Raposky's past complaints. He said that, the two weeks prior to that, two of the men were on vacation. Mr. Parish said that the project required flaggers and there was insufficient personnel to provide for those flaggers. It was noted by an attendee that flaggers could be rented. Restrictions in regard to vacation time were discussed by others in relationship to how many men could take vacation at the same time. Mr. Parish believes the union contract says that it is allowable for two workers to take vacation at the same time. Mr. Parish said that a possible solution would be to hire two additional men for the road crew to increase the numbers of available workers at any given time.

Mr. Spahr added that a leader was needed to plan, organize, delegate and oversee the completion of road projects as the Supervisors can only police but not oversee each individual project. Mr. Parish mentioned the possible hire of a Township Manager, but comments were made that individuals interested in this position would not be those inclined or skilled to do labor class work which is why a working road superintendent was pursued.

Mr. Spahr commented on the fine work that had been done by the former road superintendent Ed Frye. Mr. Spahr also requested that the Township engineer comment on the current status of road maintenance in Union Township. Mr. DeiCas said that the Township needs to work on tree trimming and pot hole patching. With regard to water management, he said that the Township cannot dig the necessary ditches without a grader and grader operator. Mr. Spahr mentioned that residents have complained that Men Working Signs have not always been put out to inform vehicles of the presence of the road crew. Also, Mr. Spahr noted that the washout on McChain is causing vehicles to veer over towards the center line, and that corrections need to be made to get the project done.

The McClelland Road materials cost estimate prepared by Mr. DeiCas was discussed relative to the drainage repair to be performed by Mr. Lawson outside his property. Mr. DeiCas said that he placed a call to Pleasant Unity, the supplier, and received a quote of \$2,080 for the precast inlets with predrilled holes, steel frame and bike safe grate. He said that if the Board were to authorize the purchase, Ms. Taylor can place the order. It was noted that the Township agreed to flag for Mr. Lawson during this project.

Board Approved: November 24, 2014 with revision as noted

Motion to approve the materials purchase in the sum of \$2080 or inlet boxes and grates for drainage repair work on McClelland Road by Mr. Lawson.

Motion by Steve Parish, Second by Paul Chasko

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

The change order by Morgan Excavating was discussed in the sum of \$2,720.00 for extension of a 15" pipe along McChain Road and backfilling the drainage area with rip rap to repair the drainage issues. Since the contractor will be in the Agulia Lane area, Mr. Chasko and Mr. Parish were of the opinion that the contractor should be contracted to perform the work.

Motion to approve the Change Order of Morgan Excavating in the sum of \$2,720.00 as recommended by the Township engineer to perform drainage repairs on McChain Road.

Motion by Paul Chasko, Second by Steve Parish

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

Mr. DeiCas will let the contractor know he is authorized to perform the work.

Motion to advertise the intent to hire a CPA in lieu of the Township auditors to perform the work for the 2014 audit.

Motion by Steve Parish, Second by Paul Chasko

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

The quote by Carrie Fundy for customization of the Microsoft Access database and creation of a new database for the Township system used by the zoning and code enforcement officers was presented by Municipal Consulting Services. They said that they had requested an updated system because Mr. Tullai had designed the one currently in use and he is no longer able to assist them to resolve glitches and perform customization. The particular contractor selected also designed the Microsoft Access database system that they use in their personal business with which they have been very pleased, and they have experienced no on-going financial obligations or requirements. They said that there are other systems which can be used but many of them have mapping features that they don't need as they already have remote mapping functionality from the office. Also, they said that these other systems generally have an annual yearly maintenance fee which is on-going. The solicitor and the treasurer were not confident that the language in the quote, as stated, was releasing ownership of the database and data solely to Union Township. Municipal Consulting said that this was not their experience nor their interpretation of the wording but said they will contact the Microsoft Access consultant to attend the next meeting and verify these issues to the satisfaction of the Board. Ms. Taylor also noted that migration of the old data is at an unspecified additional cost in the quote, but that the Township would want to migrate all records and would need a cost estimate for migration.

The SWRPD Food Pantry collection was announced. Food will be collected at the Municipal Building from October 10, 2014 to December 29, 2014, from 8:00 a.m. through 4:00 p.m.

Board Approved: November 24, 2014 with revision as noted

Motion to approve use of the Board Room by Tuscany Estates residents on November 19 and December 17, 2014, at 7:00 p.m.

Motion by Steve Parish, Second by Paul Chasko

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

A reminder was made for the November 17, Continued Budget Workshop to be held at 6:30 p.m.

Public Comment

Mr. LaTorre mentioned that drainage issues exist in the Boyka plan. He said that several homes have had their retaining walls come down because, as he sees it, no catch basins or storm drains have ever been installed on the road and, following pavings and re-pavings, the height of the curb is lower than it has been in the past.

Motion to go to Executive Session at 9:05 p.m.

Motion by Steve Parish, Second by Paul Chasko

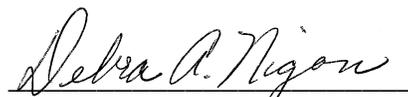
Roll call vote: Parish=yes, Spahr=yes, Trax-absent, Chasko=yes. Motion carried.

The Board returned from Executive Session at 9:20 p.m. The solicitor said that they discussed issues involving union negotiations.

Motion to adjourn at 9:25 p.m.

Motion by Steve Parish, Second by Paul Chasko

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


Debra A. Nigon, Secretary