

Union Township Board of Supervisors
Monthly Board Meeting
May 14, 2012

The Board of Supervisors Meeting was called to order by Chairperson Linda Evans-Boren at 7:05 pm. 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, Linda Evans-Boren, Andrew Tullai and Brenda Cushey. Also in attendance, Dennis Makel–Solicitor, Carl DeiCas-Township Engineer, Harold Ivery–Building Code Official, Judith Taylor–Treasurer, Debra Nigon–Secretary.

Public Comment

Karen Stroup, 39 Finley Avenue, commented about the noise in the Boyka plan coming from Tomko. She said that the noise of Tomko jack hammering the hillside starts at 7:00 a.m. and ends at 9:00 p.m. and goes on seven days a week. Ms. Stroup was informed that there is no separate noise ordinance but that it is addressed within the Zoning Ordinance. The Building Code Official said that a decibel reading on the noise levels had been taken once before and that the reading did not meet the requirements of an Ordinance Violation.

Motion to authorize the solicitor to send a letter to Tomko requesting that no jack hammering be done until after 8:00 a.m. on Sundays due to complaints received at the Township from nearby residents.

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 go to Executive Session to discuss possible litigation at 7:14 p.m.

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 was excused from the Executive Session. The Board returned from Executive Session at 7:31 p.m.

Mr. Makel stated that issues of possible litigation were discussed.

Motion to authorize that a petition be filed with Judge Emery in the Court of Common Pleas of Washington County requesting that the trees in violation of the Airport Hazard Zoning Ordinance be cut in order to come into compliance.

Motion by Brenda Cushey, Second by Andrew Tullai

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

It was stated that this action was being taken in part in response to the settlement requirements which were communicated by Mary Parish's attorney in regard to the Township taking ownership of the property. The required elements to settle the matter were read by the solicitor at the request of the Board:

- The property is to be staked out by the Township so that Mrs. Parish can view the property that is subject to this situation.
- If the property is timbered, that the logs be set aside so that Mrs. Parish can use them for her own purposes.
- That Mrs. Parish would like to continue cutting hay on said property.
- That it would be covenant in the Deed that the property cannot be used for expansion of the Airport.
- That the Township would pay the sum of \$110,000.00 which would include attorney's fees for this process.

Motion to approve the general funds bills presented as of May 14, 2012 in the amount of \$67,070.50 as presented by the Treasurer, subject to being true and correct, with the sum of the Walsh Equipment invoice being used to reimburse the General Fund from the Capital Reserve Equipment Fund in the amount of \$43,145.00.

Motion by Larry Spahr, Second by Brenda Cushey

Roll call vote: Parish-yes, but abstaining from any bills involving Finleyville Airport, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

There was discussion that some of the mandates for the sign management system have been lifted by PennDot. However, a sign management system is still being required.

Motion to advertise a Workshop for Monday, May 21, 2012, at 6:30 p.m., to discuss GPS purchase and a cost estimate for paving in 2012.

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 advertise the rescheduling of the Regular Board Meeting for Monday, May 28th to Tuesday, May 29, 2012, at 7:00 p.m. due to the Memorial Day holiday.

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 the execution of changes to the zoning map, which changes were already adopted through public meetings and ordinances, with the updated map being sent to Washington County Planning Commission.

Motion by Larry Spahr, Second by Brenda Cushey

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

The solicitor informed the Board that, in his communications with the DEP, he was informed that taps will be released since negotiations seem to be moving forward. He has sent an email to the Secretary regarding a certain process to be followed which involves obtaining an

anticipated count of taps from the developers for 2012 and 2013. The Secretary was informed to notify Mr. Danielson and any other developers in Union Township, collect their tap count, and to submit the numbers to Clairton Municipal Authority, Peters Creek Sanitary Authority, and the DEP congruently.

Jason Jaki was introduced as the new Chairman of the Recreation Board and Audrey Dorsen as new Vice Chairman. The Recreation Board requested to grade the existing ground between the soccer field and the upper field without disturbing the wetlands so that it would be more useful. Mr. Jaki agreed to put some posts in the area described and that the Township Engineer will take a look at the area to see if their request could be approved. The Recreation Board also requested information on how the funds from a CD which was purchased by the prior Recreation Board could be used. It is believed the CD came from funds collected honoring the Fox children who were killed in a house fire. The Treasurer will investigate how these funds can be used properly. The Recreation Board was also given permission by the Board to fundraise provided that they keep a detailed list of donations and funds, accounting for what was collected, from whom, and for what purpose. Any monies collected are to be provided to the Secretary and/or Treasurer for deposit to their account. The Recreation Board also requested stone for the parking lot at Brownsville Park and paint and painting supplies for the picnic tables.

Motion to authorize the Treasurer to issue a check to the Recreation Board for a five-gallon bucket of paint and paint brushes to paint the picnic tables at Brownsville Park.

Motion by Brenda Cushey, Second by Larry Spahr

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

The request by West Penn Power to provide the Board with a presentation on emergency procedures in the case of a major power outage was discussed. The Secretary will schedule a date for the presentation with West Penn Power.

No bids on gasoline or diesel were received. Since twice advertised, counting the advertised request for bid through the Washington County Joint Purchase Program, the Board elected to stay with Coen Zappi as the current supplier.

The bids for a Municipal Solid Waste Contract were opened. Only one bid was received. The bid from Waste Management for Year 1 was \$36.45 per household, per quarter; Year 2; \$37.53 per household, per quarter, Year 3, \$38.67 per household, per quarter. The bid also included an alternate for Hazardous Waste pick-up which was accepted by the Board at the rate of an additional \$1 per month per household.

Motion to enter into a contract with Waste Management for three years for Municipal Solid Waste Hauling, Recycling, and Hazardous Waste Pick-up beginning July 1, 2012, at the rate of Year 1, \$36.45 per household, per quarter; Year 2; \$37.53 per household, per quarter, Year 3, \$38.67 per household, per quarter, to also include an alternate for Hazardous Waste pick-up at the rate of an additional \$1 per month per household (\$3 dollars quarterly).

Motion by Larry Spahr, Second by Brenda Cushey

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

Bids were opened for the Gilmore Road and Coal Bluff Road Slide Repair. The bids included a Base Bid (Coal Bluff Slide Repair), Alternate Bid #1 Stream Bank Rehabilitation, and Alternate Bid #2 Gilmore Road Slide Repair

Bidder: Gary Metzinger

Total Bid: \$127,565 Base: \$81,280 Alt. #1: \$7,875 Alt. #2: \$38,410

Bidder:Gregori Construction,

Total Bid: \$134,805 Base: \$94,520 Alt. #1: \$6,605 Alt. #2: \$33,680

Bidder: J5 Construction

Total Bid: \$193,465 Base: \$141,295 Alt. #1: \$14,250 Alt. #2: 37,920

Bidder:Tedesco Construction

Total Bid: \$195,550 Base: \$136,065 Alt. #1: \$13,250 Alt. #2: 46,235

Motion to table the Slide Repair Bids for review by the Township Engineer for accuracy.

Motion by Brenda Cushey, Second by Larry Spahr

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

It was discussed that the Township had not received a copy of any resolutions or agreements from PCSA in regard to the negotiations with Clairton Municipal Authority on its Act 537 Plan. The Treasurer will call to obtain a status. Ed Frye, as a representative of the West Elizabeth Sanitary Authority, said that WESA would like to meet with Union Township to discuss the Act 537 Plan in the same manner as was arranged for PCSA. The Treasurer is to get dates from WESA and Jefferson Hills on when they would be available to meet.

Motion to advertise a public hearing on the re-zoning request of Union Gardens for parcels on Route 88 from R.D. and R.1. to C.2. on June 4, 2012 at 7:00 p.m., dependent on the availability of a court reporter.

Motion by Larry Spahr, Second by Brenda Cushey

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

Board Approved: 5/29/12

Linda Evans-Boren announced The Marcellus Shale Impact Series sponsored by the Local Government Academy Program so that the Supervisors could consider attending. The three-part series is being held in various local municipalities at the cost of \$45 per session.

Motion to go to Executive Session at 9:05 p.m. to discuss issues of personnel and possible litigation.

Motion by Larry Spahr, Second by Brenda Cushey

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

The Board returned from Executive Session at 9:37 p.m.

Mr. Makel stated that they discussed issues of personnel only.

Motion to adjourn the meeting at 9:40 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