

Union Township Board of Supervisors
Monthly Board Meeting
August 27, 2012

The Board of Supervisors Meeting was called to order by Chairperson Linda Evans-Boren at 7:07 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, Harold Ivery–Building Code Official, Peter Grieb–Code Enforcement Officer, Carl DeiCas–Township Engineer, Judy Taylor–Treasurer, Debra Nigon–Secretary.

Public Comment

Susan Price and Susan Walsh of the Monongahela Area Library, which serves residents of Ringgold School District, addressed the Board regarding needed support from the municipalities they serve. They thanked the Board for the recent check they received in support of the Library. Ms. Price and Ms. Walsh also said that the Library is expecting decreases in state funding in 2013, and they would be grateful if the Board could consider increasing the amount in its line item for library support in the budget for next year. Ms. Price and Ms. Walsh said that their budget is \$96-\$98,000 per year and that the reduction in state funding would represent a \$20-\$25,000 loss. The State encourages the Library to obtain 51% of its operating revenue from local sources. Ms. Price and Ms. Walsh made the suggestion of a \$5 per capita and/or a millage levy being imposed so that support to the Library could be increased. Monongahela Area Library also requested support in obtaining matching grant monies necessary for a grant they are currently pursuing to install handicapped doors.

No officer could be present to deliver the Police Report so a written report had been supplied to the Board. Mr. Spahr noted that the police are running well under what was budgeted and have at times, when dictated by good police work, provided services to the Township en gratis. Ms. Evans-Boren read aloud excerpts from the report provided by SWRPD, which included the fact that residents can receive Nixle Alerts on their cell phone and can follow SWRPD on Facebook and Twitter. Tips from residents, even anonymous tips, were encouraged as tips from residents have led to a number of arrests in the Township.

Harold Ivery delivered the Zoning and Code Enforcement Report. Mr. Grieb requested permission to have the engineer review Tomko's grading permit and review the requirements for mining permits as Tomko appears to be selling aggregates removed from their property. Complaints, primarily involving dust, have continued to be received at the office. The solicitor will call the Washington Conservation District and Mr. DeiCas will speak to the DEP. Mr. Ivery said that he tried to contact M3 Appalachia in regard to the timeframe and scope of the gathering line project in Union Township but has not yet received a call back.

The solicitor reported on his concerns following attendance at the last Ringgold School Board Meeting. He reported that, when an attendee raised the objection that the School Board's Agenda was not in compliance with the Sunshine Act in regard to allowing public comment on

Agenda items, the Board threatened to have her thrown out until Mr. Makel advised the Ringgold School Board that this was against the law.

Audrey Dorsen of the Recreation Board said that at Pleasant Stream Park one of the swings is a hazard and needs to come down and the steps up to the slides needs to be repaired. In addition, the creek which runs along the perimeter of the Park is undercutting the ground causing a situation which could be dangerous for someone walking too near the creek. Ms. Dorsen inquired as to whether it was necessary to obtain a permit from the DEP to grade and repair the area. Mr. DeiCas will look at the creek bank so that a decision can be made.

Motion to approve payroll #16 dated August 3, 2012 in the amount of \$10,923.39 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 #17 dated August 17, 2012 in the amount of \$9,743.99 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 the general funds bills presented as of August 27, 2012 in the amount of \$20,246.33 as presented by the Treasurer, subject to being true and correct.

Motion by Larry Spahr, Second by Steve Parish

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

Motion to authorize the solicitor to send a Cease & Desist Order to the Paliotta's attorney in regard to the continuing work being done at the Union Gardens site.

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 schedule and advertise a Conditional Use Hearing on September 10, 2012, at 6:00 p.m. for Mr. Gerba pertaining to the gunsmith shop he wishes to run at his home.

Motion by Larry Spahr, Second by Andrew Tullai

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

Motion to authorize the solicitor to send a letter to GAI consultants reminding them to file the appropriate applications for Road Boring, Heavy Hauling, Road Cuts and any other items necessary regarding the roads of Union Township.

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 Per Capita Ordinance No. 2012-03.

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 Agreements which authorize Jordan Tax Service to handle the Township's sewage billing and collection and use its in-house legal counsel in the event any delinquent proceeding are deemed 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.

The Pennsylvania American Water Shut-Off Agreement was tabled until a later time.

Motion to approve the Pennsylvania American Water Usage Agreement.

Motion by Brenda Cushey, Second by Larry Spahr

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

Mr. Cook, attorney representing the Finleyville Airport, requested to speak regarding grant money currently available through Governor Corbit's office which could be used through the end of this year to clear obstructions to any airport. Mr. Cook said that these airport related grant monies are allotted in varying amounts to multiple counties, including Washington County, but, if unused, that funding may not become available again. He also reminded the Board of the Status Conference being held before Judge Emery on August 28th, 2012, in regard to the Finleyville Airport issue.

The solicitor sent correspondence to the Auditor General's office in regard Statement of Intention requested as it pertains to the Police Pension Fund. Currently, no response has been received. Additionally, the solicitor reported that he has issued a letter to the DEP requesting a meeting with WESA and Jefferson Hills Boro and has not yet heard back.

Motion to approve the purchase of four new tires for the front-end loader, each to be filled with RimGuard fluid, with the old tires to be hauled away.

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 Parking Ordinance was reviewed by the Board, and the solicitor was requested to add two provisions, one for emergency snow removal and another for the placement of signs.

The Chairperson announced the County Convention was being held on Thursday, September 13, 2012, with registration beginning at 4:00 p.m. Parties interested in attending were requested to contact the municipal office staff.

A letter received by Nottingham Township was discussed asking the Union Township Board to inform them of any interest in modifying the charter of the Peters Creek Sanitary Authority

Board Approved: 9/10/12

(PCSA) to reduce the membership. The solicitor requested that the Secretary obtain a copy of PCSA's Articles of Incorporation and By-Laws for the next meeting.

The solicitor stated that he would like to discuss Finleyville Airport in executive session.

Motion to go to executive session for personnel reasons and possible litigation at 8:32 p.m.
Motion by Brenda Cushey, Second by Larry Spahr
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

Mr. Parish left Executive Session at 8:49 p.m.

The remaining members of the Board returned from Executive Session at 8:55 p.m.

The solicitor indicated that the Board discussed dust at Tomko, Union Gardens, an employment agreement for one of the Township employees, and Finleyville Airport.

Motion to adopt the employment agreement drafted by the solicitor for the Road Superintendant position.
Motion by Brenda Cushey, Second by Larry Spahr
Roll call vote: Parish-abstain, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

Motion to adjourn the meeting at 8:57 p.m.
Motion by Brenda Cushey, Second by Larry Spahr
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

Debra A. Nigon, Secretary