

Union Township Board of Supervisors
Monthly Board Meeting
October 22, 2012

The Board of Supervisors Meeting was called to order by Chairperson Linda Evans-Boren at 7:10 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 Larry Spahr, Linda Evans-Boren, and Andrew Tullai. Also in attendance, Harold Ivery–Building Code Official, Peter Grieb–Code Enforcement Officer, Carl DeiCas–Township Engineer, Dennis Makel–Solicitor, Judy Taylor–Treasurer, Debra Nigon–Secretary. Mr. Parish did not attend due to illness. Ms. Cushey was on vacation.

Public Comment

There was no public comment.

The SWRPD officer was permitted to provide his report first. The officer provided the monthly statistics on arrests and citations. He also said that traffic details had been running every week or every other week at positions where the Township has been receiving complaints or where residents have provided tips. The officers have been timing motorists, allowing for a liberal number of mph over the speed limit, and have averaged about 12 violators per shift.

Motion to approve minutes of the September 24, 2012, as presented by the Secretary, changing “Peters Creek” to “Peters Township” in the two places where it appears, subject to being true and correct.

Motion by Andrew Tullai, Second by Larry Spahr

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

Motion to approve minutes of the September 26, 2012, Police Services Workshop, subject to being true and correct.

Motion by Andrew Tullai, Second by Larry Spahr

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

Motion to approve minutes of the September 26, 2012, Budget Workshop, subject to being true and correct.

Motion by Andrew Tullai, Second by Larry Spahr

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

Motion to approve minutes of the October 8, 2012, Regular Board Meeting, subject to being true and correct.

Motion by Andrew Tullai, Second by Larry Spahr

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

Motion to approve minutes of the October 8 2012, Budget Workshop, subject to being true and correct.

Motion by Andrew Tullai, Second by Larry Spahr

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

Motion to approve payroll #20 dated September 28, 2012 in the amount of \$9,850.25 as presented by the Treasurer, subject to being true and correct.

Motion by Larry Spahr, Second by Andrew Tullai

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

Motion to approve payroll #21 dated October 12, 2012 in the amount of \$9,850.25 as presented by the Treasurer, subject to being true and correct.

Motion by Larry Spahr, Second by Andrew Tullai

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

Departmental Reports

The Building Code Official reported to the Board that he is reviewing two issues, one a sewerage issue and another involves placement of a shed that he will provide more information about later. There has been no reply yet from Donora in regard to demolition of the two houses in Elrama.

Mr. DeiCas reported that he and Dr. Mueller from California University have been missing one another but that he still intends to schedule a meeting during the day with the Supervisors and the professor to discuss an intern for their GIS project.

The solicitor had no report other than what is already on the Agenda. The Recreation Board had no report at this time.

Motion to approve the general funds bills presented as of October 22, 2012 in the amount of \$17,843.57 as presented by the Treasurer, subject to being true and correct.

Motion by Andrew Tullai, Second by Larry Spahr

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

The solicitor directed the Board's attention to the research he had provided on re-districting and wanted to know whether there was still interest in pursuing the issue. Currently there are 2 representatives for each district and 3 at large. Mr. Tullai emphasized the importance of getting out to vote and encouraged residents of Union Township to consider running for office and to weigh residency location as a factor when voting. The Board agreed to put the re-districting issue on hold until they could review the most recent census data in relationship to re-districting by population.

The solicitor said that he completed his review of the Police Services agreement changes and that the work is complete and those changes will be sent to the Township for review.

Motion to schedule a hearing on Wednesday, November 28, 2012, at 7:00 p.m. for review of the Joint Comprehensive Multi-Municipal Plan and to advertise same pursuant to the MPC.

Motion by Larry Spahr, Second by Andrew Tullai

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

Ms. Evans-Boren read the notice from West Penn Power regarding escalating thefts of copper wire from electrical facilities which endangers their employees who may enter substations or work on equipment which is not properly grounded. West Penn Power requested that our employees and residents phone their local police department or the FirstEnergy Security Group at 877-370-7512 if they notice any suspicious behavior around West Penn Power's poles.

In regard to the zoning concerns of Mr. Ducouer and Mr. VanVoorhis who had asked to be on the Agenda for the meeting, Mr. Meissonier, 317 Cricketwood Court, Canonsburg, PA, requested an executive session or informal meeting for fact finding in regard to his property on Route 88. The solicitor informed the Board, per the literature recently sent to them, that this type of fact finding is permissible. The Board scheduled the meeting for 7:00 p.m. on October 30, 2012.

Mr. VanVoorhis mentioned that, per the Freedom of Information Act, he had requested from the Township the tape recording made of the October 8, 2012, Regular Board Meeting, and that he had not received a copy. The solicitor informed him that a copy would be provided the next day. Mr. VanVoorhis also read a statement that he had prepared in regard to any change from C2 to C1 of his property, stating, in summary, in his opinion, the public desires commercial business and development in the area, any change to C1 would be discriminatory as other C2 properties exist on that span, that the Township needs the tax revenue to fund police coverage and to prevent decline, and that the signing and adoption of the Kingsfield Resolution by multiple Supervisors still on the Board, would make any change a violation of the Settlement Agreement which was reached a little over a year ago, allowing that case to be reopened. The solicitor acknowledged his statement.

Mr. Tullai asked the Board their thoughts on audio-visual equipment for the Board Room. It was decided that he will research refurbished projectors for the next meeting.

Motion to release the escrow for the Jaki subdivision in the sum of \$231.92.

Motion by Andrew Tullai, Second by Larry Spahr

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

The Board discussed purchase of a laptop computer for the Secretary's use at Board Meetings so that the Minutes could be typed as opposed to taking them longhand and for access to the network of any documents or programs that would be appropriate during the course of a

meeting. The laptop would also be used to drive any refurbished a/v equipment which would be purchased. It was decided that laptops would be researched for the next meeting.

Motion to authorize any interested Supervisors and the Township engineer to attend the Fall Road Inspection at their convenience at a mutually agreeable time.

Motion by Larry Spahr, Second by Andrew Tullai

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

Several insurance quotes were received by the Township as a response to our advertisement at the request of the Board to shop around to see if it could obtain a better price elsewhere. The quotes came in at approximately the same cost but need to be reviewed for comparable coverage. The Board agreed to review the quotes for the next meeting.

Motion to approve payment as recommended by the Road Superintendant to Morgan Excavating using \$165,000.00 from the Liquid Fuels Fund and \$104,085.17 from the General Fund for a total of \$269,085.17.

Motion by Larry Spahr, Second by Andrew Tullai

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

Mr. Wellington, 19 Victoria Drive, commented on the great paving job on Victoria and Veronica Drives but was concerned that the Water Company would just tear it back up. He was informed that there are Ordinances in place that would prevent that from happening and that the Water Company would need to re-pave should they schedule work on those roads.

There were multiple residents attending the meeting who addressed the Board in regard to wanting commercial retail growth and development in Union Township and their viewpoint that this type of "big-box" growth is either not desired or encouraged by the Board. Those residents included Ms. Heather Daer, 6187 Route 88, who said an overwhelming majority of residents she polled wanted increased growth in the area of jobs and taxable income. Mr. Kevin Daer, 6187 Route 88, who said that C1 zoning limits larger commercial development which can be built to be more aesthetically pleasing than allowing smaller commercial enterprises to simply pop up. Mr. Olah, 6180 Route 88, owner of the Dairy Queen, who stated that he would like to see additional growth, Ms. Marcia Tatter, 6200 Route 88, who said that she thinks the Township is stagnating, and Mr. Hal Breining, 44 Finley Avenue, who said that the Township had worked hard to get a development on Route 88 and would like to see more development occur.

The solicitor stated that the Board of Union Township has led the way in many areas over the course of 2012. He mentioned the Board's efforts in driving to resolution the freeze on taps by the DEP early this year which threatened the livelihoods of multiple developers and contractors by halting construction. He also mentioned the fact that, despite the decision by other affected municipalities not to take action, the Board of Supervisors of Union Township willingly used their power and resources to support residents in their fight against Ringgold School District's unpopular decision to close Finley Middle School and reopen schools in Donora and Monongahela. Ms. Evans-Boren said that the Board's motives have been to protect the

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residents of the Township from any undue financial tax burden being placed on them as a result of a business transaction between a land owner and developer. Mr. Spahr said that the Township is not in decline as evidenced by the continuing development at Tuscany Estates and the increased tax revenue this development and other construction has brought to the Township.

Motion to go to executive session for personnel reasons and possible litigation at 8:07 p.m.
Motion by Andrew Tullai, Second by Larry Spahr
Roll call vote: Parish-absent, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-absent. Motion carried.

The Board returned from Executive Session at 8:15 p.m.

The solicitor said that the Board discussed litigation involving the Finleyville Airport.

Motion to continue the meeting on October 30, 2012 at 6:30 p.m. with a fact-finding session at 7:00 p.m.
Motion by Andrew Tullai, Second by Larry Spahr
Roll call vote: Parish-absent, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-absent. Motion carried.

Debra A. Nigon, Secretary