

Union Township Board of Supervisors  
Monthly Board Meeting  
October 8, 2012

The Board of Supervisors Meeting was called to order by Chairperson Linda Evans-Boren at 7:04 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, Andrew Tullai and Brenda Cushey. Also in attendance, Dennis Makel-Solicitor, Carl DeiCas-Township Engineer, Harold Ivery-Building Code Official, Peter Grieb-Code Enforcement Officer, Judy Taylor-Treasurer, Debra Nigon-Secretary. Mr. Parish did not attend due to illness.

Public Comment

There was no public comment.

**Motion** to approve the general funds bills presented as of October 8, 2012 in the amount of \$58,377.61 as presented by the Treasurer, subject to being true and correct.

Motion by Larry Spahr, Second by Brenda Cushey

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

Mr. Spahr pointed out that \$31 thousand of the General Fund Bills was for the Elrama Volunteer Fighters Relief Fund.

**Motion** at 7:08 p.m. to go into Executive Session for purposes of discussing litigation involving the Finleyville Airport.

Motion by Linda Evans-Boren, Second by Larry Spahr

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

The Board of Supervisors returned at 7:40 p.m.

The solicitor stated that the Supervisors discussed litigation involving Finleyville Airport. The solicitor stated that there is a Letter of Consent that Mary Parish must sign in order to allow the trees to be cut. If that letter is not signed, there will be a hearing on Tuesday, October 9, 2012, at 1:00 p.m.

The Board of Supervisors discussed demolition of the two abandoned properties in Elrama which have been turned over to the Township. The Borough of Donora has the equipment and has experience in demolishing buildings and was contacted to see what the process would be to have them handle the demolition if the Board was interested. The solicitor was requested to review the Intergovernmental Agreement that Donora provided as an example.

The Township Engineer presented the final updated Zoning Map for approval so that it could be sent to the County. The Zoning Officer and the Township engineer had worked together to update the map to reflect the current zoning in the entire Union Township area at the Zoning Officer's request so that it would accurately reflect all the zoning changes that have occurred through the various Zoning Hearing Board decisions and Ordinances which have been adopted since the map was last filed with the County.

Mr. Spahr made comments regarding the current C2 zoning of properties on Route 88 which does not conform to the local commercial designation in the Future Land-Use Map in the Joint Comprehensive Multi-Municipal Plan. The Joint Comprehensive Multi-Municipal Plan is a large planning document which covers all areas of city planning and includes a plan for zoning as well. The plan often changes over time and is periodically updated. The Future Land-Use Map shown in the Multi-Municipal Plan shows the path forward the Board would like to take towards development and zoning in years ahead and currently shows a path forward for that area as local commercial, C1, and not regional (general) commercial, C2. Mr. Spahr indicated that this change was requested of the City Planners due to a problem ten years ago on a section of Route 88 where a large box store development was planned. According to the traffic studies performed by the engineers, it was determined that there was insufficient infrastructure in Union Township and the road system would need multiple improvements. Route 88 would need to be widened taking frontage from residents, and perhaps causing other traffic issues that would end up putting the Township in debt, costing millions of dollars in road improvements. For that reason, he said that he would like to see the Township moving towards the zoning plan outlined in the 2007 Joint Comprehensive Multi-Municipal Plan.

Heather Daer and Tom Daer wanted to know the plan for the Township in regard to recreational facilities, libraries, stores and other development and were directed to the 2007 Joint Comprehensive Multi-Municipal Plan which the Secretary was instructed to provide to them. The Board informed them that this non-binding plan was developed in conjunction with other municipalities under the direction and with the help of a city planner and engineering firm and covered all areas of city development. The Daer's were also informed that in order for the properties on Route 88 to be re-zoned to C1 at some future date, hearings would need to be held according to the Municipalities Planning Code and all impacted parties would be notified and, if so desired, could provide testimony at that time. In addition, should any decision modifying the zoning to C1 be made as a result of any future hearing and testimonies, that this would not prevent an owner from applying for an exception.

**Motion** to approve the Union Township Zoning map which was initially adopted as of September 11, 1996 and which now has been revised as of September 18, 2012, upon recommendation of the Township Engineer and Township Code Enforcement Officer with a correction to the map to Parcel No. 640-002-00-00-0004-00 as according to Resolution 2010-09, with a copy of same to be submitted to the Washington County Planning Commission, with the provision that the Township pursue a curative amendment as to the re-zoning of the Kingsfield and Dosse properties from C2, general commercial, to C1, local commercial, Motion by Larry Spahr, Second by Brenda Cushey  
Roll call vote: Parish-absent, Spahr-yes, Evans-Boren-yes, Tullai-no, Cushey-yes. Motion carried.

The solicitor asked if there was any public comment. Earl Ducourer, 40 Linter Drive, McMurray, PA, and Jerry Mrissonier, 317 Cricketwood Court, Canonsburg, PA, 15317, arrived at the meeting part way through but commented that they disagreed with the Board's statements relative to previous development plans and the road improvement cost to the Township during that time in the past. The gentlemen asked to meet with the Township engineer to discuss the zoning issue further and the Township engineer agreed, with the approval of the Board, to meet with them during the week to discuss their zoning concerns.

The Engineer was asked for a status on obtaining a California University intern to assist with GIS mapping for the Union Township's Road Sign Management Program. He will set up an appointment during the day with the Supervisors and the Professor.

The solicitor has not heard back from his correspondence regarding the M3 Appalachia Project easement fee.

**Motion** to adopt the 2012 Union Township Parking Ordinance, Ordinance No. 2012-04  
Motion by Brenda Cushey, Second by Larry Spahr  
Roll call vote: Parish-absent, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

**Motion** to approve the changes to the Rules and Regulations of the Elrama Sewerage System per the Agreement with Jordan Tax Service.  
Motion by Andrew Tullai, Second by Larry Spahr  
Roll call vote: Parish-absent, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

**Motion** to approve the Change Order for Rich Cox Contracting for purchase of new cove base in rooms where the cove base was damaged by the floor buffer in the sum of \$1175.00  
Motion by Brenda Cushey, Second by Larry Spahr  
Roll call vote: Parish-absent, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

**Motion** to donate \$1000 to Southwest Regional Police Department for maintenance of their canine unit.  
Motion by Larry Spahr, Second by Andrew Tullai  
Roll call vote: Parish-absent, Spahr-yes, Evans-Boren-yes, Tullai-yes, Cushey-yes. Motion carried.

If anyone else in the community wants to make donations towards the maintenance of the new police dog, donations will be accepted at the Township office.

**Motion** to approve the Agreement between Exco Resources (PA) and Union Township for the bonding of McChain Road from the intersection of SR 1006 travelling .42 miles north, in the sum of \$6,000, all fees being paid, and placing \$2000 in escrow.

Motion by Brenda Cushey, Second by Andrew Tullai

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

**Motion** to approve the purchase of six (6) tires for each of the F-450 dump trucks for a total of \$3,850 through the COSTARS program at the pre-negotiated state contract price.

Motion by Andrew Tullai, Second by Larry Spahr

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

Peter Grieb announced that he has been notified that the Elrama Power Plant will be going into shut-down mode in the next 2-3 months which means that there will be only a couple of caretakers on the plant premises who cannot continue taking care of the road into the plant which is a Township road anyway. The Township will need to take over the care of this road.

The Township also received word that the Mining Department of the DEP investigated Tomko and they will not be permitted to mine or sell aggregate without the appropriate permits. The company may need to apply for a Conditional Use for mining if they wish to carry on with that type of activity.

#### Public Comment

Mr. Jim Wellington, 19 Victoria Drive, Finleyville, said that he was attending the meeting to ask the Board to reconsider modifying the Burning Ordinance and said that the leaf pickups that the Township currently carries out cannot handle all the additional brush that is currently being burned.

Mr. Chuck Randolph, 10 Circle Drive, Finleyville, also spoke against any additional limitations being placed on burning and asked that the Burning Ordinance not be revised to include any further requirements.

Ms. Karen Stoup, 39 Finley Avenue, Finleyville, PA, thanked the Board for their help regarding the dust complaints from Tomko.

Mr. Randolph also praised the slide repair work done on Gilmore Road.

**Motion** to go to Executive Session at 9:40 to discuss personnel issues.

Motion by Larry Spahr, Second by Brenda Cushey

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

*Board Approved: 10/22/12*

The Board returned at 9:44 p.m. The solicitor said that the Board discussed matters of personnel only.

**Motion** to adjourn the meeting at 9:45 p.m.

Motion by Larry Spahr, Second by Brenda Cushey

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

---

Debra A. Nigon, Secretary