

Union Township Board of Supervisors
Monthly Board Meeting
December 27, 2011

The Board of Supervisors Meeting was called to order by Chairman Steve Parish 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 Steve Parish, Larry Spahr, Linda Evans-Boren, and John Smida. Also in attendance: Harold Ivery-Building Code Official, Peter Grieb-Interim Zoning/Code Enforcement Officer, Dennis Makel-Solicitor, Judith Taylor-Treasurer, Debra Nigon-Secretary. A moment of silence was recognized for the mother of Board Supervisor, Andrew Tullai, who passed away earlier that day.

Public Comment

There was no public comment.

Motion to approve minutes of November 28, 2011 Regular Board Meeting, as presented by the Secretary, subject to being true and correct.

Motion by John Smida, Second by Linda Evans-Boren

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

Motion to approve minutes of December 12, 2011 Regular Board Meeting, as presented by the Secretary, subject to being true and correct.

Motion by Linda Evans-Boren, Second by John Smida.

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

Steve Parish reported that the minute book and other records of the Board of Auditors had been turned into him by Carol Schneider, the Secretary of the Board of Auditors.

Motion to provide the minutes and records of the Board of Auditors to the Treasurer to be kept until the Board of Auditors meets to reorganize.

Motion by John Smida, Second by Linda Evans-Boren.

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

The Building Code Official gave his report. Mr. Ivery said that there had been issues raised at the last Zoning Hearing Board meeting involving the property at 6225 Route 88 where gas pumps were being installed in regard to why that property had a particular type of access and another property did not, and that those issues had been straightened out and that zoning had been approved for 6225 Route 88.

The Building Code Official also inquired as to the status of an updated zoning map which had been discussed at prior meetings. Mr. Parish informed the Building Code Official that the updated zoning map had been discussed with regard to the multi-municipal comprehensive plan which had been approved by the Board, and that any updates and corrections to the zoning map would need to coincide with updates to the map needed for the approved multi-municipal plan.

The road foreman gave the road report. He discussed issues involving a broken gas pump which requires the electricity to be turned off and on in the garage, and a broken heater in the garage

that was requiring repair. Mr. Parish stated that the guide rails have been installed on Howe Street.

The Tax Collector gave a report through December 22 showing that the collection rate is at 90%, and is expected to be at 95% for 2011. She also briefly discussed an approved application for veteran's exemption on real estate taxes.

Motion to reimburse Donald Stiegler for overpayment of real estate taxes in the amount of \$165.18 on the basis that he applied for and received a veteran's exemption.

Motion by Larry Spahr, Second by John Smida

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

Motion to approve payroll #25 dated December 9, 2011 in the amount of \$9,130.98 as presented by the Treasurer, subject to being true and correct.

Motion by Larry Spahr, Second by John Smida

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

Motion to approve payroll #26 dated December 23, 2011 in the amount of \$7547.70 as presented by the Treasurer, subject to being true and correct.

Motion by John Smida, Second by Larry Spahr,

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

Motion to approve the general funds bills presented as of December 27, 2011 in the amount of \$38,795.43 as presented by the Treasurer, subject to being true and correct.

Motion by Larry Spahr, Second, Second by Linda Evans-Boren

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

Motion to adopt the advertised Holding Tank Ordinance, No. 2011-6..

Motion by Larry Spahr, Second by Linda Evans-Boren

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

Motion to approve the Holding Tank Agreement as presented by the solicitor.

Motion by Larry Spahr, Second by John Smida

Roll call vote: Parish-no, Spahr-yes, Evans-Boren-yes, Smida-yes. Motion carried.

Motion to authorize the Treasurer to make pre-payment, when invoiced, as required by the Police Services Agreement contract, for the month of January 2012.

Motion by Larry Spahr, Second by John Smida

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

The solicitor briefly addressed M3 Appalachia gathering gas line applications, and the necessity for M3 Appalachia to pay an easement fee. Prior to the last Board meeting, the attorney for M3 Appalachia emailed the Township solicitor in regard to rejected applications and Mr. Makel had explained to their attorney what was required, and that they would need to apply for an easement. M3 Appalachia was to send some information to Dennis Makel and has not yet done so. The issue will be held in abeyance until received.

Mr. Parish stated that three applicants were interviewed for the road department position involving truck operation and maintenance work. All the applicants were qualified. Of the three people interviewed, one was a veteran. The solicitor advised that if the veteran meets the minimum qualifications then the Township is obligated to hire the veteran under the The Veteran's Preference Act of 1975, 51 Pa.C.S. § § 7101.

Discussion ensued regarding whether more than one road crew position should be filled, The road foreman and several Supervisors suggested that a Workshop be held to examine the issues. The Board decided that they would hire the one road crew worker which was budgeted, and possibly amend the budget in the New Year, if necessary, to include another road crew member.

Motion to hire Mark Sturges as Truck Driver / Equipment Operator / Maintenance Worker with the required preference as a veteran in accordance with the Veteran's Preference Act, subject to passing all clearances.

Motion by Larry Spahr, Second by John Smida

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

The solicitor addressed the 537 Plans of Peters Creek Sanitary Authority and West Elizabeth Sanitary Authority. In conversation with Elizabeth Shade of the Department of Environmental Protection, the solicitor was told that the approval of each Act 537 Plan would need to be in accordance with the goals and direction of the DEP and must pass economic feasibility studies to be approved. The Treasurer was instructed to obtain the last two Chapter 94 reports from West Elizabeth Sanitary Authority and to call Clairton Treatment Facility to obtain the price of their capacity/tap fee.

Discussion of the phone system quotes was held in abeyance until the meeting of the Board of Supervisors on January 9, 2011 due to Mr. Tullai's absence and his primary involvement in contacting and obtaining the quotes from each vendor.

Motion to approve Tuscan Estates Phase 7 Plan, to include 26 single family lots, as presented by the Township engineer and the Planning Commission.

Motion by Larry Spahr, Second by John Smida

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

Motion to approve the addendum to the Subdivision and Development Improvement Agreement for Tuscan Estates Phase 5, 6, and 7.

Motion by Larry Spahr, Second by Linda Evans-Boren

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

Motion to re-appoint Jean Livingston to the Zoning Board for a three-year term expiring in 2015.
Motion by Larry Spahr, Second by Linda Evans-Boren
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Smida-yes. Motion carried

Motion to adopt the 2012 budget as currently advertised.
Motion by John Smida, Second by Larry Spahr
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Smida-yes. Motion carried

Motion to set the millage rate at 12 mils for 2012.
Motion by Linda Evans-Boren, Second by Larry Spahr
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Smida-yes. Motion carried

Motion to re-enact Ordinance 1-2007, ½% Realty Transfer Tax.
Motion by Larry Spahr, Second by Linda Evans-Boren
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Smida-yes. Motion carried

Motion to re-enact Ordinance #19, Per Capita Tax.
Motion by Linda Evans-Boren, Second by John Smida
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Smida-yes. Motion carried

Motion to re-enact the Mechanical and Electronic Devices Tax.
Motion by Linda Evans-Boren, Second by John Smida
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Smida-yes. Motion carried

Motion to transfer \$60,000 from the General Fund Funds Balance to the Slide Account, with the \$60,000 being allocated to no particular slide, and the funds being available for work to repair any slide in the Township.
Motion by Larry Spahr, Second by John Smida
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Smida-yes. Motion carried

Legislation, HB1950, currently being considered by the Pennsylvania House and Senate and its impact on municipalities was addressed by the solicitor.

Motion to adopt Resolution No. 2011-14 in Opposition of Attempts To Eliminate, Weaken, Or Standardize A Municipality's Ability to Protect its Residents from the Dangers of Natural Gas Drilling.
Motion by Larry Spahr, Second by John Smida
Roll call vote: Parish-yes, Spahr-yes, Evans-Boren-yes, Smida-yes. Motion carried

In recognition of his last meeting on the Board, Mr. Smida stated his thanks and appreciation to all members of the Board and requested to go to Executive Session briefly.

Motion to go to Executive session for personnel issues and possible litigation at 9:10 p.m.

Motion by Larry Spahr, Second by John Smida

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

The Board returned from Executive Session at 9:15 p.m..

Motion to adjourn meeting at 9:15 p.m.

Motion by Larry Spahr, Second by Linda Evans-Boren

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

Debra A. Nigon, Secretary