

Union Township Board of Supervisors
Regular Board Meeting
February 9, 2015

The Board of Supervisors Meeting was called to order by Chairperson Larry Spahr at 7:00 p.m. 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, Charles Trax, Paul Chasko, and Edward Frye

Also in attendance were: Dennis Makel—Solicitor, Carl DeiCas—Engineer, Harold Ivery—Zoning Officer/Building Code Official, Peter Grieb—Code Enforcement Officer, Judith Taylor—Treasurer/Asst Secretary. Absent : Debra Nigon –Secretary/Asst Treasurer.

Mr. Spahr stated that the meeting was being recorded to aid in the preparation of the minutes. Mr. Chasko also stated that he was recording the meeting.

Public Comment

Hal Breinig, 44 Finley Avenue, Finleyville, inquired on the progress being made on the illegal junkyard on Stone Church Road. Mr. Ivery stated that the property owner has been notified and code enforcement is continuing. Mr. Breinig also commented that he felt that the plastic barriers placed at the end of Grossetto Drive by the road crew were insufficient. Mr. Banahasky stated that it was too muddy to dump any dirt at the end of Grossetto Drive at this time and the barriers should alert any motorist proceeding at the posted speed limit.

Frank LaTorre, 7 Boyka Street, Finleyville, commented on an abandoned house on Stone Church Road, asked if a demolition permit had been issued to EQT for removal of a vacant house on Finleyville-Elrama Road near their pump station, and noted the continuing unsightly condition of the Hoey property on Finleyville-Elrama Road.

Gary Baumgardner, 47 Cardox Road, Finleyville, stated that he was recording the meeting. He asked the Board what they were doing to preserve the property values in the Township, which he said were negatively affected by natural gas drilling activity. He also asked for a copy of the Emergency Evacuation Plan if one was in place. He said he had been told to develop a plan of his own if the township does not have one. Mr. Baumgardner asked how the to-be-unannounced sound, air and water quality testing to be done near the Trax Farm well pad was announced in the newspapers, and noted that Mr. Spahr had been quoted in the articles. He stated that EQT had shut down fracking operations in response to the newspaper articles, thereby manipulating the results of the tests to be within appropriate limits, resulting in a waste of taxpayer's money.

Mr. Spahr stated in response that he was contacted a day to two after the Township meeting by the newspaper to comment for the article on the proposed testing to be done, but he had not initiated the conversation. He also noted that the proposed testing had been discussed before a large audience during several Board meetings. Mr. Spahr said

that he hoped Mr. Baumgardner had proof of any allegations that a Board member or associated individual informed the newspaper or EQT of the proposed test dates. He stated that no one on the Board had knowledge of the selected testing dates.

Mrs. Joanne Baumgardner then commented that she witnessed monitors being removed from areas near her property and Trax Farm, and thought their placement was too obvious to be overlooked by EQT. She also noted the lack of any noise coming from the well pad in the last several days and nights.

Mr. Breinig and Mr. LaTorre then also noted the coincidence that all sounds coming from the Tomko site had ceased. Mr. Makel then stated that no one outside of his office was aware of the timing of the tests or even if they had already been performed.

Mr. Baumgardner noted that he had recently called the police, fire department and an ambulance for his wife who was coughing and short of breath due to a strong smell of burning plastic coming from the well pad. Mr. Spahr then noted that he had heard that Mr. Baumgardner had made some calls to the fire department and that EMS was concerned that other emergency calls could have been unanswered or delayed.

Another resident in the audience, Mr. Liam Morris, 32 Cardox Road, commented that in late fall of 2014 his wife noticed a strong chemical smell at their home near the EQT well pad when she returned from work in the late afternoon.

Sgt. Posatko, Southwest Regional Police Department, presented the police report for the month of January with 63 shifts, including traffic enforcement incidents, and nine traffic accidents. There was no new criminal activity.

Mr. Banahasky presented the road report. He noted that the florescent barricades were placed on Grossetto Drive on a temporary basis, and the dirt will still be dumped at the end of the road when weather permits. He also noted that two quotes were received for the installation of guiderails at two places on McChain Road, from Interstate Enterprises at \$5,300 and Green Acres Contracting at \$4,600; and that the quotes included an extra cost for the use of blocks if the contractor needed to install them.

Motion to approve the installation of guiderails at two places on McChain Road by Green Acres Contracting per their quote, including the use of blocks as needed

Motion by Steve Parish, Second by Paul Chasko

Roll Call: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

Motion to pay outstanding bills totaling \$60,379.07 from the General Fund as of February 9, 2015 as presented by the Treasurer, subject to being true and correct

Motion by Edward Frye, Second by Paul Chasko

Roll Call: Parish-yes, but abstain from any bills pertaining to the Finleyville Airport, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

The Board discussed the status of the airport tree cutting project. Some property owners requested that the tree stumps be covered with soil and the area seeded. This action will be delayed until spring and only performed in backyards, not woodlots. The easement was edited to remove mention of this work and will be sent to the property owners with a letter detailing the necessary requirements to move forward with the project. Mr. Makel will call the property owners to answer any concerns they still may have, and a meeting will be scheduled with them if needed. Mr. Chasko stated that according to the contractor, no overweight vehicles will be used on Airport Road.

A resident in the audience, Billy Keefer, 1198 Kennedy Road, Charleroi, asked to comment concerning negative comments about Mr. William Tomko, for whom he has worked for many years. He stated Mr. Tomko is a hard-working man and employs many people from the township and surrounding area.

Mr. Makel reported on his meeting with Mr. Danielson and his attorney concerning the issues relative to the Tuscany Estates development. The developer's bond in the amount of \$138,000 has been reinstated and will be in effect until June 28, 2015; a copy of a quote from a contractor to install a guiderail across Grossetto Drive when weather permits to serve as a permanent barrier until the road is completed was given to the Township; all of the debris and equipment is to be removed. Mr. Makel noted that these actions are to be performed within thirty days. Mr. Danielson told him that Maronda going into Chapter 11 created legal issues with Quaker Engineering, and that he has other builders interested in the development.

The Board reviewed the easement document provided by the solicitor in the event the Township encroaches on the property of Joseph Matey while installing a storm water pipe along his property on College Street.

Motion to approve the temporary easement agreement for the storm water work to be done along the side of the Joseph Matey property at 5100 College Street, subject to the engineer supplying a drawing to be attached

Motion by Steve Parish, Second by Paul Chasko

Roll Call: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

The Board considered but did not choose to add Wesbanco to the list of depositories or schedule a presentation by the bank at the present time.

Motion to approve to purchase 1500 tons of salt utilizing the 2015 COSTARS salt contract
Motion by Steve Parish, Second by Edward Frye

Roll Call: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

The Board discussed whether to implement a one-year extension of the current garbage contract with Waste Management or to consider requesting bids. The secretary will call to ascertain that the current price in effect at the end of the contract will continue through the extension period(s).

Motion to reappoint Lori Kenavey to a four-year term on the Planning Commission effective March 1, 2015 to March 1, 2019

Motion by Steve Parish, Second by Edward Frye

Roll Call: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

The Board reviewed the 8% increase in the Teamsters health insurance plan effective March 1, 2015. As the premium payment is due a month in advance, the increase was included in the February General Fund bills. Mr. Makel noted that the road crew's health insurance is a matter of negotiations and all current wages and benefits were extended to March 9, 2015.

The Board reviewed a notification from First Energy Corporation concerning a new efficiency program offering rebates or incentives for installing new energy efficient lighting fixtures. Mr. DeiCas stated that the grant application is very complicated and not generally a worthwhile investment of time unless there are a large number of proposed new fixtures.

Motion to go to executive session for personnel reasons and possible litigation at 8:15 pm

Motion by Charles Trax, Second by Paul Chasko

Roll Call: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.

The Board returned from Executive Session at 8:55 pm

The Solicitor stated that in executive session the Board discussed items involving personnel, litigation concerning EQT and Tomko.

Motion to adjourn the meeting at 8:55 pm

Motion by Paul Chasko, Second by Charles Trax

Roll Call: Parish-yes, Spahr-yes, Trax-yes, Chasko-yes, Frye-yes. Motion carried.


Judith L. Taylor, Assistant Secretary