

Union Township Board of Supervisors  
Regular Board Meeting  
June 8, 2015

The Board of Supervisors Meeting was called to order by Chairperson Larry Spahr at 7:07 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, Paul Chasko, and Edward Frye. Charles Trax did not attend. Also in attendance, Dennis Makel–Solicitor, Mr. Carl DeiCas–Township Engineer, Judy Taylor–Treasurer, Debra Nigon–Secretary, Harold Ivery–Building Code Official, and Peter Grieb–Code Enforcement Officer.

Public Comment

Terri Hoffman, 15 Circle Avenue, commented regarding the billing service for the Elrama Sewerage System and requested further clarification from the meeting held in April. Ms. Hoffman does not want to deal with Jordan Tax Service anymore and wants to know what fees were added to their accounts. Mr. Makel said that he received a packet of information from another customer and he will be looking at that packet of information this week in regard to liens being placed as well as whether appropriate notice was provided and the basis for the fees being charged. He asked her to call his office on Friday. Mr. Frye explained that the Board's vote was to not renew the contract with Jordan Tax Service when it expires; however, until contract expiration, which is at the end of December, all customers will still be working with and paying their invoices to Jordan Tax Service. Ms. Hoffman requested further information on the proposal from WESA. Mr. Spahr informed Ms. Hoffman that the Board is still reviewing that proposal and has some time to evaluate the proposal before the current contract expires. Ms. Hoffman expressed a desire to pay directly to the Township.

Mr. Rich Meder introduced himself as a representative of EQT who can be consulted on the Pelliccione / EQT Subdivision which appears on tonight's agenda.

Ms. Ninetta Dinardo, owner of property off Nasal Lane commented about the potential loss of access to her property off Nasal Lane which was discussed at the last meeting. Mr. Makel said that he reviewed Caldwell Atlas as a reference since it shows old farm roads which have been in existence many years. Nasal Lane does appear in Caldwell Atlas. The residents could view a copy of the Atlas at Citizen's Library, or possibly Washington & Jefferson Library. The road is also evident in the deed. He advised the owners to file an injunction which he was pretty certain they would win given his extensive knowledge of road law. Mr. Makel requested and received the Board's approval to send a letter to the resident regarding closure of the road. The solicitor took the residents names, addresses, and phone numbers so that they could be copied on the letter sent to the resident.

Barbara Stover, 135 Viareggio Way, Tuscany Estates, thanked the police for patrolling Tuscany Estates.

Pete Guido, 125 Viareggio Way, Tuscany Estates, reported that Maronda has moved the port-a-potty and moved some of the garbage under the trailer. The truck has been moved into the woods. Mr. Makel said that he sent a certified letter containing a list of items still outstanding. Municipal Consulting Service has cited the developer for accumulation of trash with photographs of the items he needs to move. This matter will be heard before the magistrate.

Lori Kenavey, 6088 Brownsville Road Extension, made a complaint about noise from jake brakes from truck traffic going down Brownsville Road and Route 88. She inquired as to whether signs will be posted in accordance with the Jake Brake Ordinance which was adopted since she has not noticed any signs. A request must be made to PennDot for the signs to be erected since these are state roads. The Treasurer will contact PennDot.

### Departmental Reports

*Road Report:* Mr. Tom Mellor, Road Superintendent, provided his report on the activities of the Road Department. Regarding the park inspection, the Superintendent noted that some of the equipment is 10-15 years old and not all parts can be found and ordered; however, he has completed what could be completed at this point. He noted that, at some point, items will need to be removed if they cannot be repaired. Mr. Banahasky added that the restrooms were not completely clean when the restrooms were checked prior to the Ringgold School District fifth grade event at the park. He was requested to keep a record of any additional incidents. Mr. Spahr communicated the very positive comments he received regarding the condition and improvements done at Brownsville Park from a resident who had not been at the park in a while but who recently attended a function at the park.

Mr. Mellor also provided the Board with updates on the slides in the Township and other activities of the road crew. A written report was also provided to the Board.

Southwest Regional Police Officer, Steve Schwartz, delivered the police report and provided the monthly statistics. Mr. Spahr commented that SWRPD was instrumental in apprehending a perpetrator of a recent bank robbery in Peters Township. The perpetrator was travelling off Rankintown Road where one of our officers was on patrol who joined in pursuit with other police service vehicles from multiple municipalities down Route 43.

**Motion** to approve general fund bills in the sum of \$40,615.07, as of June 8, 2015, as presented by the Treasurer, subject to being true and correct.

Motion by Steve Parish, Second by Paul Chasko

Roll call vote: Parish-yes, abstaining from anything having to do with Finleyville Airport, Spahr-yes, Trax-absent, Chasko-yes, Frye-yes. Motion carried.

Mr. Spahr read a thank-you letter to the Board from Ms. Rose Marie Donovan who maintains the honor roll in Courtney who was thanking the Board for its \$100 donation. Mr. Spahr reminded the public that Union Township donates towards the maintenance of three honor rolls in the Township: one in Gastonville, one in Courtney, and one in Elrama. Each receive a \$100 donation yearly.

The Board discussed the Open House which was held on Saturday to celebrate the start of operations by Jefferson Hills Ambulance from the new site. Mr. Bob Gibson thanked the past and present Supervisors for their hard work and assistance in getting the addition operational. He also thanked the members of the community who attended. It was estimated that 40-50 individuals attended. It was noted that, a week prior, an individual was having a heart attack at Giant Eagle and, within four minutes, the ambulance was on-site. Also Bob Gibson commented about a call in Elrama which came in around the same time. The ambulance made it to the Elrama location in four and a half minutes. Mr. Spahr noted that the Township is lucky to be serviced by Jefferson Hills Ambulance which has received prestigious awards for their excellence.

The 2015 paving project was discussed. The engineer estimated the cost to pave McClelland Road at \$135,556, Lobbs Run Road at \$98,210, and Aber Road at \$54,625. McClelland has never been paved and needs some work. Also, McClelland Road will be used heavily when the Venetia/Rankintown Bridge is closed. The Road Superintendent and crew will perform a lot of under drainage work required on McClelland Road. Mr. DeiCas reported that many of the cross-drains on Lobbs Run are silted in and draining slowly. The concrete pipes are reinforced and do not need to be replaced but the drains do need to be cleaned out. Mr. Spahr directed the engineer to obtain a quote from Robinson Pipe to clean out all the cross drains.

The Township has roughly \$210,000 in the Liquid Fuels Budget to work with on this year's project which is less than the estimates for all three roads. Cleaning the cross drains will be taken out of the bid which reduces the estimate slightly.

The Board decided that Aber Road is not as bad as the others and could wait. Mr. Parish suggested having Aber Road included in the paving project as an alternate. Mr. Parish made note that the Township receives Turn Back Funds from PennDot for maintenance on Lobbs Run Road which amounts to \$4,160 each year as a portion of the Liquid Fuels allotment.

In regard to micropaving, no roads have been identified as candidates for micropaving this year. Mr. Spahr inquired about the condition of McChain Road. The engineer advised the Board to first address the drainage issues on McChain Road, give it a good patch job, and consider it for paving next year.

**Motion** to advertise for a base bid to perform paving on McClelland Road and Lobbs Run Road with Aber Road as an alternate with bids to be opened on Friday, July 10 at 12:00 noon. Motion by Ed Frye, Second by Paul Chasko  
Roll call vote: Parish-yes, Spahr-yes, Trax-absent, Chasko-yes, Frye-yes. Motion carried.

*The bid opening was subsequently changed to 3:00 p.m. on July 10 due to the inavailability of the engineer at 12:00 noon.*

Pete Grieb is working on a resolution to the trees which are in violation of the Airport Zoning Ordinance on the Brizzi property.

Mr. Chasko reported that there are still trees left on the property of Ms. Fincham as well as stumps which need to be removed. He has put specifications together for a quote on the

additional work which is included in the Board's materials for the meeting. The preliminary estimate he received should be under the \$10,000 bid threshold. His recommendation is that we send out his specifications for quotes to see what numbers we receive for completion of the job. Mr. Chasko informed the Board that the Aviation Bureau completed an interim inspection. As a result of that inspection, it appears that the Board may be faced with removing another 8-12 trees which have been identified as obstructing air space.

**Motion** to authorize Mr. Chasko to request quotes as provided in the Request for Proposal for the next meeting.

Motion by Paul Chasko, Second by Ed Frye

Roll call vote: Parish-abstain, Spahr-yes, Trax-absent, Chasko-yes, Frye-yes. Motion carried.

As an update on the construction plans of Tomko, Mr. Makel said that he spoke with Attorney Regenstein who had informed him prior to the last Planning Commission Meeting that the company had not obtained an NPDES permit from the DEP. In her last communication to Mr. Makel, Attorney Regenstein informed him that the DEP is working on an agreement with Tomko and asked the Township to place Tomko site development on the June Planning Commission Agenda. Mr. Makel has informed the engineer. Also, towards protecting the Township, Mr. Makel has made ready a draft development contract agreement as well as other forms. It was noted that the Observer-Reporter had printed a large article on Tomko's expansion project.

Mr. Snee asked for a report on the erosion project along his fence line on Patterson Road which Tomko was to complete. Mr. Makel asked the engineer for a description and list of materials needed at that site from the engineer so that he can request Tomko to complete that project prior to the next Planning Commission Meeting. Mr. Makel will discuss this project with Mr. Ivery.

The WESA Sewage Proposal was held in abeyance to allow the Board to continue its review.

The Board discussed the WESA Act 537 Plan and the Jefferson Hills Act 537 Plan. The Jefferson Hills plan seems to include construction of a new more robust pump station. This new pump station would allow Jefferson Hills to pump the sewage to WESA now but with sufficient capacity to also ultimately pump directly down to Clairton. However, when the pump station was discussed in the past, expanding and upgrading WESA's 4<sup>th</sup> Street Pump Station was determined to be the most cost effective plan for Union Township, not the construction of a new pump station. The Board is wondering whether Union Township is being requested to share funding of this more robust pump station. Mr. Deicas and Mr. Makel said that the 4<sup>th</sup> Street Pump Station issue had been addressed when all the parties met in the DEP offices in Pittsburgh; however, it appears that these parties are working outside of the agreed Act 537 Plan. Mr. Makel will contact Mr. Shimko and the DEP relative to Union Township's concerns.

The Pelliccione / EQT Subdivision was presented by the Building Inspector / Zoning Officer. Mr. Makel noted that approval of the subdivision does not approve a building permit nor does it provide any other approval allowing for construction. Once the subdivision and sale is complete, EQT will own the property including the compressor station all the way over to Aber Road.

Mr. Makel inquired as to whether EQT would be willing to offer any financial assistance to the Township to fund any projects to benefit the community. Ms. Taylor was directed to apply to EQT's Foundation for grant funding .

**Motion** to approve the Pelliccione / EQT subdivision subject to the following conditions: (1) that all appropriate fees be paid to Union Township for engineering, administration, etc., within 10 days of approval therein; and (2) the approval of the aforesaid subdivision shall not be construed by EQT or any successor or assignee as granting of any expansions to any compressor stations or meter stations, with Lot #1 (residual) being 65.613 acres, and Lot #2 being 46.387 acres subject to all fees being paid, for recording purposes only.

Motion by Steve Parish, Second by Paul Chasko

Roll call vote: Parish-yes, Spahr-yes, Trax-absent, Chasko-yes, Frye-yes. Motion carried.

Correspondence the Township received from Solicitor Haines in regard to the ownership of Evelyn Street was discussed. Evelyn Road is a one lane road off Airport Road with no cul-de-sac. The Board said they have never adopted nor maintained this one lane road. Mr. Makel will talk to Mr. Haines.

**Motion** to advertise a Mid-Year Budget Review Workshop at 6:00 p.m. prior to the 7:00 p.m. July 27, 2015 Regular Board Meeting

Motion by Ed Frye, Second by Paul Chasko

Roll call vote: Parish-yes, Spahr-yes, Trax-absent, Chasko-yes, Frye-yes. Motion carried.

It was announced that the audit presentation will most likely be on June 22nd Regular Meeting. Ms. Taylor will confirm with Cypher and Cypher.

**Motion** to go to Executive Session at 8:37 p.m.

Motion by Ed Frye, Second by Paul Chasko

Roll call vote: Parish-yes, Spahr-yes, Trax-absent, Chasko-yes, Frye-yes. Motion carried.

The Board returned at 8:51 p.m.

The solicitor said that they discussed matters involving litigation between Carl DeiCas and Chester Engineers.

**Motion** to adjourn at 8:52 p.m.

Motion by Steve Parish, Second by Paul Chasko

Roll call vote: Parish-yes, Spahr-yes, Trax-absent, Chasko-yes, Frye-yes. Motion carried.

  
Debra A. Nigon, Secretary