

Union Township Board of Supervisors
Regular Board Meeting
February 27, 2017

The Board of Supervisors Meeting was called to order by Chairperson Deborah Sargent at 7:03 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 Larry Spahr, Charles Trax, Paul Chasko, Heather Daerr, Deborah Sargent. Also in attendance, Mr. Gary Sweat–Solicitor, Mr. James Harshman–Township Engineer, (leaving early), Debra Nigon–Secretary.

Public Comment on Non-Agenda Topics

Hal Breinig, 44 Finley Avenue, commented about the recent decision to go with Monongahela Police Department and spoke positively of the number of drug arrests which have been made since they started. He also commented on hearing various people commenting on what a good job is being done by the new police force. He also asked why nothing is printed in the paper about drug activity in Union Township. His opinion was that residents would be more likely to report activity if there was more publicity regarding the drug problem, to which Union Township is not immune. He also announced that Crossroads Church will be hosting an Easter Egg Hunt which involves a helicopter dropping 500 eggs as it flies overhead. He also mentioned that Hope Township will pass a dust ordinance tonight.

Frank LaTorre, 7 Boyka Drive, commented on the decline of the Boyka Plan which he attributed to activity at Tomko. He said that three houses could not sell and have been turned into rental properties and another four properties are vacant. His opinion was that the prior code enforcement officers did not do a good enough job in enforcing the code relative to Tomko. He also commented that people behind Giant Eagle are now getting flooded which he attributed to grading and construction activity at Tomko. He also commented about growth and the need to draw business into the Township. He also stated that the junk cars on Rankintown Road need to be addressed. He also said that he believes the Township is going in the right direction.

John Matola, 21 Maple Street, resident 35 years. Brought to the attention of the board the continuing situation with missing/damaged guide rails on Finleyville-Elrama road which was mentioned several months ago. Since that time, the only improvement he has seen is some new spray paint on some bad spots. He asked that the Township question the appropriate parties as to why nothing else was done.

Ms Daerr asked that a sentence be added, for documentation purposes, to the Minutes of January 23 to indicate that the invoices for winter maintenance at Tuscan Estates were to be deducted from the escrow of Tuscan Estates since it was her recollection that this was mentioned in the meeting. Mr. Harshman confirmed that the escrow deductions for winter maintenance are addressed in the Tuscan Estates developer's agreement. There was further discussion on escrows that was postponed until the rest of the agenda was discussed.

Motion to approve the Minutes of the January 23, 2017, Regular Board Meeting, as presented by the Secretary, subject to being true and correct, with revision as noted.

Motion by Deborah Sargent, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to approve the Minutes of February 13, 2017, Overlook Area Sewerage Workshop as presented by the Secretary, subject to being true and correct.

Motion by Heather Daerr, Second by Paul Chasko

Roll call vote: Spahr-yes, Trax-abstain, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to approve the Minutes of the February 13, 2017, Regular Board Meeting as presented by the Secretary, subject to being true and correct.

Motion by Deborah Sargent, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to approve Payroll #2 dated January 27, 2017, in the sum of \$8,178.39 as presented by the Treasurer, subject to being true and correct.

Motion by Heather Daerr, Second by Paul Chasko

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to approve Payroll #3 dated February 10, 2017, in the sum of \$13,377.14 as presented by the Treasurer, subject to being true and correct.

Motion by Deborah Sargent, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to approve Payroll #4 dated February 24, 2017, in the sum of \$9,838.67 as presented by the Treasurer, subject to being true and correct.

Motion by Heather Daerr, Second by Paul Chasko

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to approve general fund bills as of February 27, 2017, in the sum of \$58,854.25, as presented by the Treasurer, subject to being true and correct.

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-no, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Outstanding payment to SWRPD for attending court hearings was discussed. Of the 10 upcoming hearings, it was discussed that 5 are criminal hearings and 5 are traffic hearings. Ms. Sargent said that we can encourage SWRPD to attend the five non-traffic hearings; however, they will not be required by the Township to attend, nor will they be paid to attend. Whereas, the Township would pay for attendance at criminal hearings. A letter by Mr. Sweat communicating this arrangement to SWRPD was briefly discussed. Ms. Sargent agreed to contact Judy Taylor about the check being held.

Mr. Mark Englert of Fairfield Landscaping was present to address any questions prior to a vote on the supplemental emergency winter maintenance contract. Mr. Spahr confirmed with Mr. Englert that Tomko was agreeable to storage of salt on their premises. Mr. Spahr also inquired about the equipment they will be using to provide service to the Township. In terms of

staging, Mr. Englert's comments were that the timeframe of the contract at this stage does not seem to make the best sense as it would cause the contract to be renegotiated in the midst of the winter/snow season and does not allow time for staging of equipment. Mr. Englert expressed that he would be most comfortable signing a contract which extended from April of this year to April of the next. His typical contract period is from October 15 to April 15. He said that a delayed start of the contract may not be an issue since only an inch of snow is being called for this weekend and our crew would be able to handle that. The only other option would be to add weeks of time over and above a twelve-month yearly contract. Regarding equipment, he said they have bigger trucks, some with tailgate spreaders. He would probably stage two F650's with tailgate spreaders.

Mr. Spahr inquired as to how drivers are dispatched. Mr. Englert informed Mr. Spahr that a couple of his drivers live in Venetia and could be in the Township within 45 minutes to an hour. He further informed the Board that all of his 32 drivers are on-call and are accustomed to watching the weather and knowing when to head out. His company also participates with a weather service to provide timely weather information.

The Board discussed that it was their preference to have coverage this year and did not wish to push the contract start date out too far. Also, Mr. Sweat noted that Albert Banahasky, a member of the road crew who is currently on worker's compensation, did not get released for work by his doctor at his last visit. His next appointment will not be until April 3, 2017.

Motion to enter into a Winter Maintenance Contract with Fairfield Landscaping, for the period March 1, 2017 through April 15, 2018, per the terms in the written contract and attached price schedule

Motion by Deborah Sargent, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Mr. Harshman announced that he had asked the Chair to include, as an emergency item on the agenda, a situation with a slide on McChain Road off the property owned by Mr. Corace. He noted that, although Mr. Mellor has been doing a good job cleaning up the slide, that an emergency repair was needed. Before the meeting today, he emailed, the final design he believes should be implemented as well as a cost estimate. Those materials were before the Board at the meeting with their other meeting materials. Mr. Harshman also brought copies which they reviewed. The repair in brief involves removing the loose material and replacing that area with benched in stone to provide a stable slope. Based on costs for a similar repair his engineering firm is conducting in Chartiers Township, his estimate for the emergency repair was approximately \$92,000. Given the emergency nature, and safety of travelers on that road, he recommended that the usual bid and advertising requirements be waived so contractor(s) could be hired. Mr. Spahr inquired about the total cost which was estimated at \$100,000.

Mr. Spahr inquired about the presence of fill material. Mr. Harshman explained that there is evidence of both old and recent fill material. In regard to Mr. Spahr's inquiry as to the origin of the fill, it was Mr. Harshman's opinion that a small amount of fill at the top appears to be recent. He said that, according to the owner, some of the other fill has been there for decades and contains block concrete, coal and materials remaining from an old tipple that used to be

present at the site. Mr. Harshman also explained that a clay seam is evident where the slide is pumping up where white and gray slip clay is visible.

The repaired slope will be contoured at a ratio of 1.4 to 1. Per Mr. Harshman, the owner, Mr. Corace, has lost 10 feet of property at the slope and will regain five feet at the top of the slope once the repair is made. Mr. Spahr inquired as to whether the hillside could slide again. The engineer did not believe it would, as in his estimation, it will last a life time. He reported that he has used this particular type of repair before.

Mr. Sweat said the matter involved questions concerning liability. Mr. Harshman's opinion was that the slide, if repaired correctly a long time ago, would not be as extensive as it is now. In terms of whether Mr. Corace's garage is in current danger, Mr. Harshman explained that if a severe rainstorm arrives, the slide could let go fast. Right now, however, the garage of Mr. Corace is off-set from the current slide area. The road superintendent is on call as an emergency measure.

Charles Trax inquired as to whether during repair work, the Township could run into an old mine at the site and asked what is known about the history of mining activity. Mr. Spahr provided some background about prior mining activity relative to an old tipple which was located on other side of the current slide location.

The solicitor suggested that Morgan Excavating be contacted to see if they want to participate in the repair as, in 2014, they were contracted to perform work on the slide and not all the bad fill was removed. Mr. Harshman reported that there was "a lot" of material removed at that time by Morgan Excavating.

Mr. Chasko mentioned another smaller stand of trees which he noticed at the site will also have to be removed. Mr. Harshman reported that he spoke with Mr. Corace about the slide area and Mr. Corace is only willing to address the current moving slide, which is in the middle of a larger potentially slide prone area. He reported that on either side of the current slide there is a situation with bad fill and dying trees which will not be repaired at this time.

Mr. Harshman's final recommendation was that the work be done immediately and an emergency situation be declared at the meeting to allow for quotes to be obtained and contractor(s) hired.

Mr. Trax commented that someone involved in the prior repair must have noticed the spring on the slope. The solicitor encouraged Mr. Harshman to contact the contractor and establish his willingness to participate in corrective measures and to allow the contractor an opportunity to take any responsibility for the prior repair work.

Based on the engineers report and evaluation expressing serious concerns as to the safety of vehicles traveling on McChain, as well as the report of Paul Chasko, a supervisor who has been down to the site, the Board determined the situation was an emergency which presented serious safety concerns to those traveling that section of road.

Mr. Daerr was of the opinion that insufficient records exist concerning the slide and repair work and noted the need to keep good records of concerning this slide situation and repair.

Motion to declare the situation an emergency and authorize the engineer to solicit a minimum of three proposals for contractors, based on his review and report, and authorize the engineer to contact Morgan Excavating to enlist their participation, in any way, in the remediation process.

Motion by Deborah Sargent, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Mr. Sweat will provide Mr. Harshman with an easement agreement.

Board discussed advertising a Change of Meeting Schedule from the 2nd and 4th Monday to the 3rd and 4th Monday of the month with meetings to begin at 7:00 p.m. Since the solicitor attends Smith Township meetings the 3rd Monday, he could not commit to attending every meeting since he may get tied up in the other township, however, he believed he could make most Union Township meetings. The board decided against changing the schedule at this time.

Motion to approve use of the Board Room by the Tuscany Estates Homeowners Association for their quarterly meetings to begin at 7:00 p.m., with doors to be opened at 6:30 p.m., on the following dates: Tuesday, February 28, 2017, Wednesday, May 3, 2017, Tuesday, September 12, 2017, and, for their Annual Meeting, on Monday, November 6, 2017

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to adopt Ordinance No. 2017-01, A ORDINANCE OF UNION TOWNSHIP, WASHINGTON COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP CODE, SPECIFICALLY CHAPTER 265, SECTION 265-8, WHICH PERTAINS TO THE PLACEMENT OF STOP SIGNS WITHIN THE TOWNSHIP, BY PROVIDING FOR A STOP SIGN ON COAL BLUFF ROAD ON THE RIGHT SIDE OF THE INTERSECTION WITH GILMORE ROAD, with revision correcting any occurrences of southbound where eastbound would be more correct.

Motion by Heather Daerr, Second by Charles Trax

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to adopt Ordinance No. 2017-02, AN ORDINANCE OF UNION TOWNSHIP, WASHINGTON COUNTY, COMMONWEALTH OF PENNSYLVANIA FOR THE PRESENTATION AND CONTROL OF DUST, DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR REGULATIONS, ABATEMENT, EXCEPTIONS, ENFORCEMENT ORDERS, RESPONSIBILITY OF OWNERS AND OPERATORS, PENALTIES, UNLAWFUL CONDUCT, PUBLIC NUISANCES WITHIN THE TOWNSHIP

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Mr. Snee inquired as to how the ordinance will affect farmers. Frank LaTorre inquired regarding enforcement of the ordinance. Mr. Breinig asked whether he will still be required to come down and fill out a complaint form. Since comment period was closed, very limited time

was allotted for further discussion. However, Mr. Spahr did note the importance of making a distinction between zoning responsibilities, code enforcement, building code official, and building inspector as the terms have been being used very loosely due to MCS covering all these responsibilities. He advised that we be specific about what is being discussed. He also mentioned that there is no one employed at Harshman CE Group to do building code enforcement. Heather Daerr and Deborah Sargent confirmed that they are aware that Harshman contracts out building inspections to Mr. Ivery and Mr. Grieb at MCS. Discussion was continued later on this topic.

Motion to adopt Ordinance No. 2017-03, AN ORDINANCE OF THE TOWNSHIP OF UNION, WASHINGTON COUNTY, PENNSYLVANIA, AMENDING CHAPTER 135 "GRADING" OF THE TOWNSHIP CODE, SPECIFICALLY AMENDING SECTION 135-7, "BONDS"; CHAPTER 135, SECTION 16 "GENERAL REQUIREMENTS" AND CHAPTER 135-17 "VIOLATION" IN THE UNION TOWNSHIP CODE.

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Advertisement of the junk car ordinance was discussed. Ms. Sargent noted that, due to concerns regarding entering onto private property, as had been discussed by Mr. Spahr in prior meetings, the solicitor made changes to the ordinance being considered for advertisement. However, Ms. Sargent and Ms. Daerr noted that the new code enforcement officer, Jarod D'Amico, has been working on enforcement of junk cars and making progress in having cars removed by the owners. Ms. Sargent suggested that the Board let the ordinance rest for now. Mr. Sweat explained that the revision was necessary since, although a junk vehicle could meet conditions of an abandoned vehicle, it might still be sitting on personal private property and the provisions of the vehicle code should not be used as that is dangerous territory. An abandoned vehicle would have to be on public property.

Mr. Sweat explained that an administrative portion in the current ordinance would allow for the owner of a junk car to be cited and it would then move straight to the magistrate for a hearing. If a resident still wants to utilize the provisions of the motor vehicle code by using the salvor, the salvor will be responsible for obtaining the necessary paperwork in regard to transfer of title. Mr. Spahr also pointed out that a salvor will need to be appointed and storage and towing fees will need to be set by the Board before the ordinance goes into effect.

Motion to advertise the Junk Car Ordinance for potential adoption at the Meeting of March 27, 2017

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-yes-want it understood that items in ordinance such as setting storage fees and towing fees, and designating a salvor be done before enforcement begins, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Mr. Spahr had questions relative to the code enforcement activity currently being performed by Mr. D'Amico and asked, under what authorization, he is entering onto private property. Ms. Daerr explained that it had been discussed at a prior meeting to appoint a supervisor as point person to work with the code enforcement officer, but that Mr. Sweat advised that we trust the professional to perform the contracted tasks. She explained that, when the code enforcement

officer sees a vehicle meeting the description of a junk car, which he does from the curb only, he then sends a letter to the owners. Some of the people who have received notice letters have subsequently taken care of removing the vehicle from their property. His current activities were described as enforcement of the existing nuisance abatement ordinance until the new one is created.

Motion to enter into a contract with COSTARS for 1500 tons of salt per the terms of the COSTARS 2017-2018 Salt Contract Participation Agreement.

Motion by Charles Trax, Second by Paul Chasko

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to table the proposal on IT Maintenance.

Motion by Heather Daerr, Second by Charles Trax

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion Authorize Harshman CE Group to perform up to 20 hours of work at a rate of \$45/hr to review the DCED Flood Mitigation Program guidelines for applicability to the Union Valley Watershed flood control project.

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to approve reimbursement in the sum of approximately \$300 to Judy Taylor for renewal of her notary certification

Motion by Charles Trax, Second by Paul Chasko

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to approve budget amendment Resolution No. 03-2017 to recognize awarded grant funds from the DCED Industrial Sites Re-Use Program in the amount of \$37,500 and to appropriate \$12,500.00 from Township funds on-hand, or estimated to be received, thereby increasing account No. 01.424.300 to \$50,000.00

Motion to approve budget amendment Resolution No. 04-2017 to recognize awarded grant funds from the Local Share account in the amount of \$27,500.00 for the preparation of Act 537 Plan Updates for the Mingo Circle Road Area Project and the Finleyville-Elrama Road Area Project, and to appropriate \$27,500.00 from Township funds, thereby increasing Account No. 01.429.000 to \$55,000.00.

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to authorize the Treasurer to submit the paperwork for a loan application to the Brownfield Revolving Loan Fund, for Matching Funds for Elrama Chrome Property Shop Remediation, with a loan interest rate of 1% through the Redevelopment Authority of the County of Washington.

Motion by Deborah Sargent, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Board Approved: April 10, 2017

Motion to Authorize the Engineer to advertise the 2017 paving project for a bid opening on April 10, 2017 at 3:30 p.m., with bids to be received no later than 3:00 pm on April 10, 2017, for the following roads Jefferson Street (T-759), College Street (T-837), and Meadow Avenue (T-841), with bid to awarded on April 24th at a Regular Meeting of the Board.

Motion by Heather Daerr, Second by Paul Chasko

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

The reappointment of Frank Culver was discussed. The solicitor advised that it is a best case scenario to have a member of the board sit on the Planning Commission. That being the case it was decided that it would perhaps be better for Mr. Chasko to take the seat, while appointing Mr. Culver as alternate.

Motion to appoint Paul Chasko to the Planning Commission from January 1, 2017 through December 31, 2021.

Motion by Deborah Sargent, Second by Larry Spahr

Roll call vote: Spahr-yes, Trax-yes, Chasko-abstain, Sargent-yes, Daerr-yes. Motion carried.

Ms. Sargent questioned whether it was necessary to have the Remote Participation Resolution, which has not yet been prepared, in place prior to reappointing Mr. Culver since he will most likely be unable to participate in person as he is often out of town on business. The solicitor will prepare a Resolution for the Board's consideration.

Motion to appoint Frank Culver as alternate to the Planning Commission for the permissible term.

Motion by Deborah Sargent, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to authorize Mr. Sweat to write a remote participation policy for the Board of Supervisors and Planning Commission members.

Motion by Deborah Sargent, Second by Larry Spahr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

The agenda item for advertising for a replacement for Municipal Consulting Services was discussed as they had worn several hats for the Township, as described earlier by Mr. Spahr, and the terms for each role had been used loosely and interchangeably although the services performed in each role are distinct. Mr. Silvestri explained that there are some companies that just provide building inspection services, others that might be able to offer additional services but perhaps not all. That being the case he offered to create the request for proposal(s) as part of his consulting work and to evaluate the responses that are received.

Motion to advertise for a zoning officer per the request for proposal to be created by Mike Silvestri.

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to advertise for UCC building inspection services per the request for proposal to be created by Mike Silvestri

Board Approved: April 10, 2017

Motion by Deborah Sargent, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Another concern raised by Mr. Spahr is possible lost revenue on permits since the Township split permit fees 50/50 with MCS per their contract. Mr. Spahr will talk to Mr. Harshman about the permit fees. He also inquired as to whether MCS would be handling building inspections for Harshman CE Group.

The secretary mentioned a concern having to do with whether the Township can require that septic systems be dye tested for a realty transfer, and if the occupancy permit can be withheld in cases where systems fail the dye tests since the occupancy permit is only being issued as a change of use for a realty transfer and there is no associated building permit. The concern resulted from a legal challenge she received from a lawyer relative to a property which was being sold that had not had a dye test by the closing date. The lawyer had called the office the day of the closing and had asked where in our ordinances it is required that the dye test be performed and whether other properties could exist that were transferred without a dye test. At that time, she asked Mr. D'Amico to review the code as she could not find the requirement on her own and only saw instances related to sewer properties and instances of occupancy permits being withheld which were tied to building permits. Mr. Sweat said that he would review the matter further to ensure the code covers the requirement.

Mr. Sweat announced that there is a union negotiating session scheduled at the Township for this Thursday at 3:00 p.m. He requested that two supervisors attend the session with him at the Township building. He has not yet received response on his last communication and expects that it will be discussed at the meeting.

The appointment of Tom Mellor as Road Superintendent for 2017 was discussed. Although, it was noted by the solicitor that appointment of Mr. Mellor does not approve the Road Superintendent's contract which is being negotiated, he advised the Board that an appointment should be made.

Motion to appoint Tom Mellor as Road Superintendent for 2017 based on the terms, conditions and benefit package most recently offered him.

Motion by Heather Daerr, Second by Deborah Sargent

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Motion to amend the employee manual to include the disciplinary language which is in the terms and conditions prepared for the Road Superintendent appointment and applicable to all non-union employees in the Township.

Motion by Deborah Sargent, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

It was noted that the employee manual should be modified to include the disciplinary language which is in the terms and conditions prepared in the Road Superintendent contract.

Motion to authorize Mr. Sweat to send letter to SWRPD acknowledging that we will pay for court hearings for criminal cases but not for
Motion by Deborah Sargent,

After some discussion by the Board and solicitor, the Motion was withdrawn by Ms. Sargent until more information could be obtained about whether all charges are dropped in the case of traffic hearings if the officer does not attend.

Earlier in the meeting, when there was revision to the Minutes relative to charges to the Tuscany Estates escrow, there was further discussion on this subject which was dropped to move forward on the set agenda. The discussion resumed after the agenda items were acted upon. Ms. Daerr expressed concerns that the escrows are not yet reconciled. Mr. Spahr had questions related to the authority of the Township to withdraw costs from the escrow accounts, with a desire to ensure that that the charges to escrow are being done legally. He also questioned, at what point, the Board should exercise its own responsibility. Mr. Harshman, explained that there may be a difference in the way escrow charges are typically handled and how Union Township may want to handle escrow charges. His opinion was that not every expense should have to go before the board for approval as it would hamper the development. Mike Silvestri, who was asked for his experience and opinion in the matter, commented that in Peter's Township escrows are invoiced and reconciled monthly, and that, if the developer is being notified of the charges to their escrow account, they have the option of questioning those charges. Mr. Spahr suggested that payments withdrawn out of an escrow be sent to the developer to provide that opportunity to object. Mr. Spahr asked that Mr. Sweat be charged with a procedure for charging escrow accounts. Mr. Sweat confirmed with the engineer that a breakdown is being provided in the engineering invoice to determine which activities are reimbursable expenses, which is being done in the invoices by use of a job number. Ms. Daerr's opinion was that the expenses of the solicitor could be saved if they handled the procedural aspect by a motion of the Board as opposed to having him draft a procedure.

Motion to direct the Treasurer to invoice and reconcile third-party escrows every month.
Motion by Deborah Sargent, Second by Heather Daerr
Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Ms. Sargent announced that Mr. Silvestri is close to completing his consultant's report and is ready to make a presentation to the Board which will need to be advertised. It was discussed that the meeting for the presentation will be a public meeting, with an executive session for the personnel portion. He expects to have his report completed by the end of the week.

Motion to advertise a Operational Review Workshop for March 8, 2017, at 6:00 p.m.
Motion by Deborah Sargent, Second by Heather Daerr
Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried.

Ms. Daerr announced that she would like to obtain a pricing list or media kit from the Mon Valley Independent since they appear to be at \$3/line, a fraction of the cost of the Observer-Reporter. She inquired why the Township has not considered advertising with them in the past. Mr. Sweat explained that the newspaper chosen for legal advertisements by Second

Class Township Code must meet the requirement of being a paper of general circulation within the Township. He recently defended a case in which it was found that, if the paper is available in a Township, then it can be considered a paper of general circulation. The secretary was requested to ask for a media kit from both the Observer-Reporter and the Mon-Valley Independent. It was also discussed to determine whether the comparison in pricing is equitable in terms of the number of lines used and the size of the columns. It was also suggested to obtain any statistics available related to how many papers are sold in Union Township and other such numbers as it might pertain to availability.

Mr. Spahr had comments related to articles he read recently in the Observer-Reporter which raised concerns regarding the Township receiving the same share of both impact fee revenue and local share revenue as it has relied on in the past. Per what he read, and what is perceived as the current direction of the state, under the pressure of its current budget deficit, the state may be making some amendments which would allot the lion share of the funding to the state leaving less for municipalities.

Upon inquiry by Ms. Daerr as to the road issues which caused concern when a Walmart was planned in the Township, Mr. Spahr related that, during the traffic studies, it was determined that the Township would have to pay for improvements at intersections, such as the Bebout Road intersection on Route 88. He explained that PennDot reviewed the road, and determined that, if there were any improvements or upgrades necessary to be made at intersections such as the intersection at the Dolfi plan and others, which would be deemed necessary to improve traffic flow, then Union Township would have to pay for that. Ms. Daerr read from an old Adventure flyer with a heading of myths/facts which she brought with her to the meeting, which she said had been circulated at the time of the proposed development, which read to the effect that Adventure was not requiring Union Township to pay for or make any road improvements. Mr. Spahr recalled having seen the publication by Adventure Development. He also noted that the Route 43 project completion is not being thought about until 2030 or 2035.

Mr. Chasko reported that he recently met with Jarod D'Amico to bring him up-to-date with all the code enforcement issues at Finleyville Airport. He and Jarod D'Amico went to the Finleyville Airport site and met with Tom Reimer. Mr. Chasko noticed that the airport has been working on the Karas and Brizzi trees. Mr. Reimer mentioned to him that he might like us to post on our website that cord wood is available. The secretary will contact Tom Reimer for verbiage. She also suggested that the text be supplied to Ms. Sargent for the Facebook page since more residents are likely to see the advertisement.

There was no Executive Session.

Board Approved: April 10, 2017

Motion to adjourn at 10:05 p.m.

Motion by Deborah Sargent, Second by Heather Daerr

Roll call vote: Spahr-yes, Trax-yes, Chasko-yes, Sargent-yes, Daerr-yes. Motion carried. .

Motion carried.



Debra A. Nigon, Secretary