

**UNION TOWNSHIP
3904 FINLEYVILLE-ELRAMA ROAD
FINLEYVILLE, PENNSYLVANIA 15332**

Heather Daerr, Chairman
Charles Trax, Vice-Chairman
Paul Chasko, Supervisor
Richard Lawson, Supervisor
Robert Dooley, Supervisor

Nicole Wright, Secretary/Treasurer
Joan Carmen, Asst. Secretary/Treasurer
Ken Puglisi, Road Superintendent

**AGENDA
UNION TOWNSHIP BOARD OF SUPERVISORS
LEGISLATIVE MEETING
September 25, 2019
7:00 pm**

The Union Township Board of Supervisors meeting was called to order by Vice Chair Person, Charles Trax, at 7:00 pm. The pledge of allegiance was recited. Pastor Ken Barner, from Crossroads Ministries, delivered a moment of prayer.

Board members in attendance by roll call Charles Trax, Richard Lawson, Paul Chasko and Robert Dooley

Also, in attendance, Gary Sweat-Solicitor, – Joan Carmen – Asst. Secretary/Treasurer, Jessica Barringer – Engineer, Ken Puglisi – Road Superintendent and James Donahoe., Project Manager

Motion to approve Minutes of March 27, 2019, Legislative Meeting

Motioned by: Charles Trax -Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – YES

Motion Carried

Motion to approve Minutes of July 24, 2019, Legislative Meeting

Motioned by: Charles Trax - Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax – YES, Robert Dooley – ABSTAIN

Motion Died

Motion to approve Minutes of August 14, 2019, Non-Legislative Meeting

Motioned by: Charles Trax, - Second by Robert Dooley

Roll Call Vote: Paul Chasko -ABSTAIN, Charles Trax - YES, Robert Dooley – Yes

Motion Died

Motion to approve Minutes of August 14, 2019, Public Hearing

Motioned by: Charles Trax - Second by Robert Dooley

Roll Call Vote: Paul Chasko -ABSTAIN, Charles Trax - YES, Robert Dooley – Yes

Motion Died

Motion for approval of Minutes of August 28, 2019, Legislative Meeting

Motioned by: Charles Trax- Second by Robert Dooley

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion of approval of Minutes of September 4, 2019, Sewer Workshop

Motioned by: Charles Trax - Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion for approval of Minutes of September 11, 2019, Non-Legislative Meeting

Motioned by: Charles Trax - Second by Robert Dooley

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion For approval of Minutes of September 11, 2019, Public Hearing

Motioned by: Charles Trax - Second by Robert Dooley

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion for the approval of Payroll # 19 dated September 6, 2019, in the amount of \$14,036.35

Motioned by: Paul Chasko – Second by NO SECONDS

Roll Call Vote: Paul Chasko -YES, Charles Trax - ABSTAIN, Robert Dooley – ABSTAIN

Motion Died

Both Charles Trax and Robert Dooley abstained from approval of Payroll # 19 and stated their reasons for abstaining from the approval of payroll # 19 dated September 6, 2019, in the amount of \$14,036.35 was due to the relationship the Supervisors have with both Nicole Wright and Joan Carmen. There was a discussion on record between the Supervisors and Solicitor, Gary Sweat and it was determined that the Supervisors could now revisit the motion to approve or deny payroll # 19.

Motion for the approval of Payroll # 19 dated September 6, 2019, in the amount of \$14,036.35

Motioned by: Paul Chasko - Second by Charles Trax

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve payroll #20 dated September 20, 2019, in the amount of \$14,001.25

Motioned by: Paul Chasko – Second by NO SECONDS

Roll Call Vote: Paul Chasko -YES, Charles Trax - ABSTAIN, Robert Dooley – ABSTAIN

Motion Died

Both Charles Trax and Robert Dooley abstained from approval of Payroll # 20 and stated their reasons for abstaining from approving payroll #20 dated September 20, 2019, in the amount of \$14,001.25 was due to the relationship the Supervisors have with both Nicole Wright and Joan Carmen. There was a discussion on record between the Supervisors and Solicitor, Gary Sweat and it was determined that the Supervisors could now revisit the motion to approve or deny payroll # 20.

Motion to approve payroll #20 dated September 20, 2019, in the amount of \$14,001.25

Motioned by: Paul Chasko - Second by Charles Trax

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Attorney, Michael Cruny disclosed to the Board of Supervisors that he visited the Tomko site to perform an inspection due to Supervisor, Richard Lawson's concerns that were expressed at the Townships previous meeting. Mr. Cruny briefed the Board of Supervisors on what he observed and confirmed that there was a water truck on site, two hoses on the tail end of the rock piles landing off the end of the conveyor belt were used in addition to the water truck to keep the dust under control along with an additional back up water truck on site. Moving forward Mr. Cruny confirmed the C-cans were correctly placed and according to the agreement. Mr. Cruny also observed the drilling site has a natural 15-foot wall/barrier between them and 88 which blocks a lot of the sound as they are hammering down. Mr. Cruny continued to explain that while observing the Boyka plan he noted there were no natural sound barriers, instead there was a building which acts somewhat like a sound barrier, In addition, Mr. Cruny revealed that Tomko did get a permit to construct another building which he believed would act as an additional sound barrier in the future.

Attorney Michael Cruny was able to make contact with Josh Ward regarding the Sunoco agreement and Patterson Road. Mr. Cruny informed the Board that Mr. Ward explained there were some environmental control vices that Sunoco was waiting for a final approval from the DEP on. Mr. Cruny advised the Board of Supervisors that Sunoco would like to add this language into the agreement. Mr. Ward also informed Mr. Cruny that the law now states that any agreements Sunoco enters into with a Municipality had to be agreed upon by the PUC due to the PUC being the governing body that they have to go through. Mr. Cruny also advised the Board of Supervisors, that Sunoco is working through a third attorney referencing the languages that they believe would be able to get this to pass through to PennDott and DEP for approvals. Sunoco is hoping to have the agreement to the Township by the end of the week. That agreement/language would then come to the township. Once we get an agreement between the DEP and the Township, the agreement has to go back to the PUC. Mr. Cruny feels it will take a month before we get the final agreement.

Mr. Lumsden called Solicitor, Gary Sweat last week. Mr. Sweat informed Mr. Lumsden that he was instructed by the Board of Supervisors to finalize the abandonment of the road and to enter into an agreement with Mr. Lumsden. Mr. Sweat stated this settlement agreement must be voted on by the Board of Supervisors. The Township have a settlement agreement stating Mr. Lumsden is releasing all claims and waiving his rights for an appointment of a Board review under the second class township code for any damages he has sustained, in exchange, he is willing to accept \$12,000.00 as full payment and he will deed his property over to the township.

Phil Banotto confirmed that PCSA is going to look at the Finleyville Elrama Sewage Project.

Engineer, Jessica Barringer updated the Board of Supervisors on the Scarmazie PRD, the Mineral Beach PRD, Meadow Street drainage, 2018 Paving Program updated bond, 2019 Paving Program, Overlook Sewage, the cost to design the bathrooms in the Township buildings, and Mingo Circle Sewage.

Engineer, Jessica Barringer will have the documents for the Mingo Circle Sewage area to the Township by the end of the week for the Board of Supervisors to review, Ms. Barringer is hoping to ask the Board to vote to advertise the documents for Public comment starting October 1, 2019. During the 30 days both the Public and the Board can comment at the same time and then hopefully send into DEP by October 31, 2019.

Motion to advertise an update to the 537 plans for the Mingo Circle Sewage Area.

Motion by: Robert Dooley – Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – YES

Motion Carried

THE FOLLOWING UNFINISHED BUSINESS WAS ON THE AGENDA:

- A. Approve/Deny amendment to Zoning ordinance to make a contractor's yard a conditional use in the C1,C2, C3, and Industrial Districts. (ordinance 4 of 2019)
- B. Approve/Deny threshold for execution on Municipal Liens in Elrama Sewerage district.
- C. Approve/Deny RAYSA Lease Agreement
- D. Discuss Pleasantview slide repair next steps
- E. Discuss service agreements with local contractors

Motion to approve amendment to Zoning ordinance to make a contractor's yard a conditional use in the C1, C2, C3, and Industrial Districts. (ordinance 4 of 2019)

Motioned by. Charles Trax - Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve forgiving ½ of Mr. Yaroscak's of 8 Short Street sewage tap-in fees and approve payment arrangements on the tap-in fees.

Motioned by: Charles Trax - Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes
Motion Carried

Motion to deny RAYSA Lease Agreement until they comply with the insurance requirements.

Motioned by: Charles Trax - Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes
Motion Carried

Motion to approve Solicitor, Gary Sweat starting the process of executing on Mr. Pokcawich property located at 215 Collins Avenue.

Motioned by: Charles Trax - Second by Robert Dooley

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes
Motion Carried

Mr. Cruny stated there is a form agreement already in place and approved for residence to make payment arrangements on the sewer lien and also on the tap-in fees.

Motion to Deny RAYSA's Lease Agreement until RAYSA complies with the insurance requirements.

Motioned by: Charles Trax - Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes
Motion Carried

There was a discussion on record regarding Pleasant View slide repair next steps. It was decided by the Board of Supervisors to wait until Supervisor, Richard Lawson is in attendance at the meeting to discuss this issue.

Motion to approve having an agreement with local contractors David Hufnagel and Jaki Excavating LLC as needed for jobs that are under the \$2,100.00 public bidding requirement.

Motioned by: Charles Trax and Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes
Motion Carried

THE FOLLOWING NEW BUSINESS WAS ON THE AGENDA TO REVIEW:

- A. Approve/Deny Bond renewal for Secretary/Treasurer, Nicole L. Wright in the amount of \$500.00 (\$500k Bond)
- B. Approve/Deny Credit application for Stone & Company (Board, please give a credit limit)
- C. Approve/Deny sending MS4 annual report and \$500.00 fee to the PA DEP.
- D. Approve/Deny Engineer, Jessica Barringer to write a letter to PennDOT requesting pedestrian crossing sign in front of Mingo Presbyterian Church.
- E. Approve/Deny Boards intent to go outside the Union Township Board of Auditors for the 2019 DCED Audit and advertisement.
- F. Approve/Deny Engaging with Roth Acoustical to review sound/noise-related issues and give suggestions for our pending gas & oil ordinance.
- G. Approve/Deny refund to Road Superintendent, Ken Puglisi in the amount of \$31.20 for Home Depot receipt. (Shelves for C-Can)
- H. Approve/Deny refund to Asst. Secretary-Treasurer, Joan Carmen in the amount of \$110.00 for postage.
- I. Approve/Deny refund to Asst. Secretary-Treasurer, Joan Carmen in the amount of \$42.40 for employee handbook project supplies and binders.
- J. Approve/Deny extension of Fire Service agreement for 2020 with Elrama Volunteer Fire Company.
- K. Approve/Deny extension of Fire Service agreement for 2020 with Finleyville Volunteer Fire Department.

- L. Approve/Deny Legal Right-of-Way, a portion of Tax Parcel ID 640-005-00-00-0031, Deed Book 1136 Page 139 and Deed Book 1136 Page 155.
- M. Approve/Deny soliciting bids for fire detection systems for township building and garage.
- N. Approve/Deny Resolution 13 of 2019 for LSA Grant Application
- O. Discuss repository sale of 11 Collins Avenue.
- P. Approve/Deny Gilmore Road settlement agreement.
- Q. Approve/Deny direction to GWS/Rich Cleveland to source grants for the following projects:
 - Nike site garage roof replacement
 - Veterans Memorial Park baseball field
 - Township safety/security equipment and first aid supplies
 - Excavator and other township vehicle purchases

Motion to approve the bond renewal for Secretary/Treasurer, Nicole L. Wright in the amount of \$500.00 (\$500k Bond)

Motioned by: Charles Trax - Second by Robert Dooley

Roll Call : Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve Stone & Company application with the limit of \$10,000.00.

Motioned by: Charles Trax – Second by Robert Dooley

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve sending MS4 annual report and \$500.00 fee to the PA DEP.

Motioned by: Robert Dooley – Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve Engineer, Jessica Barringer to write a letter to PennDOT requesting pedestrian crossing sign in front of Mingo Presbyterian Church

Motioned by: Charles Trax – Second by Robert Dooley

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve the Boards intent to go outside the Union Township Board of Auditors for the 2019 DCED Audit and advertisement

Motioned by: Charles Trax – Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve Engaging with Roth Acoustical to work with Solicitor, Gary Sweat to review sound/noise-related issues and give suggestions for our pending gas & oil ordinance not to exceed 5-hours at \$250.00 an hour.

Motioned by: Charles Trax – Second by Robert Dooley

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve refund to Road Superintendent, Ken Puglisi in the amount of \$31.20 for Home Depot receipt. (Shelves for C-Can)

Motioned by: Charles Trax – Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve refund to Asst. Secretary-Treasurer, Joan Carmen in the amount of \$110.00 for postage.

Motioned by: Robert Dooley – Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax. Robert Dooley – Yes

Motion Carried

Motion to approve refund to Asst. Secretary-Treasurer, Joan Carmen in the amount of \$42.40 for employee handbook project supplies and binders.

Motioned by: Robert Dooley – Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve the extension of Fire Service agreement for 2020 with Elrama Volunteer Fire Company.

Motioned by: Charles Trax – Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve the extension of Fire Service agreement for 2020 with Finleyville Volunteer Fire Department.

Motioned by: Charles Trax – Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve the Legal Right-of-Way, a portion of Tax Parcel ID 640-005-00-00-0031, Deed Book 1136 Page 139 and Deed Book 1136 Page 155.

Motioned by: Robert Dooley – Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to table soliciting bids for fire detection systems for township building and garage

Motioned by: Charles Trax – Second by Robert Dooley

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve Resolution 13 of 2019 for LSA Grant Application

Motioned by: Robert Dooley – Second by Paul

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to approve the repository sale of 11 Collins Avenue, Elrama

Motioned by: Charles Trax – Second by Paul Chasko

Roll Call Vote: Paul Chasko -YES, Charles Trax – YES, Robert Dooley – Yes

Motion Carried

Motion to approve Gilmore road settlement agreement on the terms and the oil and gas right will not be reserved.

Motioned by: Robert Dooley – Second by Charles Trax

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to Approve/Deny direction to GWS/Rich Cleveland to source grants for the following projects is Tabled:

- Nike site garage roof replacement
- Veterans Memorial Park baseball field
- Township safety/security equipment and first aid supplies
- Excavator and other township vehicle purchases

Motioned by: Charles Trax - Second by Robert Dooley

Roll Call Vote: – YES, Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to go to executive session for personnel reasons at 8:15 pm.

Motion by: Charles Trax - Second by Robert Dooley

Roll Call Vote: Richard Lawson-Yes, Paul Chasko-YES, Charles Trax-YES.

Motion Carried

The Union Township Board of Supervisors returned from executive session at 8:8:25 pm and is now back on record. The Chairperson, Charles Trax stated that in executive session the Board discussed personnel matters.

Motion to approve the bill pay list in the amount of \$217,216.17

Motioned by: Charles Trax- Second by Robert Dooley

Roll Call Vote: Paul Chasko -YES, Charles Trax - YES, Robert Dooley – Yes

Motion Carried

Motion to adjourn at 8:30 pm.

Motion by Second by Robert Dooley

Roll Call Vote: Richard Lawson-Yes, Paul Chasko-YES, Charles Trax-YES,

Motion Carried

Motion to reopen the meeting at 8:35

Motion by: Charles Trax – Second by Robert Dooley

Roll Call Vote: Paul Chasko-YES, Charles Trax-YES, Robert Dooley - YES

Motion Carried

Motion to add discuss Sugar Camp Road and Trax Road to the agenda.

Motion by: Charles Trax – Second by Robert Dooley

Roll Call Vote: Paul Chasko-YES, Charles Trax-YES, Robert Dooley- YES

Motion Carried

Supervisor Charles Trax stated Union Township is having a hard time getting an easement from Trax Farm. There is a safety issue, and the Township is going to try to get the easement without Trax Farms permission. There was a discussion on record between Engineer, Jessica Barringer, and Solicitor, Gary Sweat regarding the dangerous conditions. Mr. Sweat stated this was a traffic safety issue and therefore we would have to file to condemn the easement.

Motion to have Solicitor, Gary Sweat send a letter to Bob Trax giving them five days to respond, otherwise, start filing condemnation action so everyone can go on and get this job done.

Motion by: Charles Trax – Second by Robert Dooley

Roll Call Vote: Paul Chasko-YES, Charles Trax-YES, Robert Dooley -YES
Motion Carried

Motion to adjourn at 8:44 pm

Motion by: Charles Trax – Second by Robert Dooley

Roll Call Vote:, Paul Chasko-YES, Charles Trax-YES, Robert Dooley - YES

Motion Carried

Joan Carmen Asst. Secretary/Treasurer