

Union Township Board of Supervisors
Regular Monthly Meeting
October 13, 2008

The Board of Supervisors Meeting was called to order by Chairman Steve Parish at 7:05 p.m. The meeting was held at the Union Township Municipal Building, 3904 Finley-Elrama Road, Finleyville, PA. The pledge of allegiance was recited. Board Members in Attendance by roll call were Steve Parish, George Cheplic, Scott Tkach, Larry Spahr and Linda Evans. Also in attendance: Harold Ivery-Zoning/Code Enforcement Officer, Dennis Makel-solicitor, Judith L. Taylor-Secretary/Treasurer

Public Comment

None

The minutes of the September 8, 2008 meeting were amended as follows: page 2, paragraph seven, change to "Ms. Evans raised a question".

Motion to approve the minutes of September 8, 2008 regular Board meeting as amended, and subject to being true and correct

Motion by Scott Tkach, Second by Larry Spahr

Roll Call Vote: Parish-yes, Cheplic-abstain, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to approve the minutes of September 12, 2008 emergency meeting with Elrama Project contractors, subject to being true and correct

Motion by Scott Tkach, Second by Larry Spahr

Roll Call Vote: Parish-yes, Cheplic-abstain, Tkach-yes, Spahr-yes, Evans-abstain. Motion carried.

Motion to approve the minutes of September 17, 2008 special meeting, subject to being true and correct

Motion by Scott Tkach, Second by Larry Spahr

Roll Call Vote: Parish-abstain, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

The minutes of the September 22, 2008 workshop meeting were amended as follows: paragraph three, delete statement concerning liability insurance coverage.

Motion to approve the minutes of the September 22, 2008 workshop meeting as amended, and subject to being true and correct

Motion by Scott Tkach, Second by Linda Evans

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to approve the minutes of the September 29, 2008 special meeting, subject to being true and correct

Motion by Scott Tkach, Second by Larry Spahr

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

The Board directed the secretary/treasurer to investigate the possibility of enhancing the Caller ID feature on the telephone system to include a log of calls received.

Mr. Tkach commended the road crew for the repairs on Linden Street. He stated that he had received several approving comments from residents.

Motion to approve the lowest quotes received to purchase approximately 180 feet of pipe from JMD Mine & Construction Products at \$127.27 per 20-foot section, and approximately \$268.00 for a cleanout box from D. Worthington Sales, to be installed along McChain Road to prevent erosion of the road surface

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to approve payroll #19 in the amount of \$8,236.01 subject to being true and correct
Motion by George Cheplic, Second by Larry Spahr

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to approve payroll #20 in the amount of \$7,787.81 subject to being true and correct
Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to approve payment of the general fund invoices in the amount of \$90,476.05 as presented by the Secretary/Treasurer subject to being true and correct

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Mr. Parish abstained from voting on those items pertaining to the Finleyville airport.

The Board discussed the issue of the unpaid invoice from Makel & Associates LLC concerning Mr. Cheplic's grading and overweight vehicle permit applications, and the interpretation of supervisory versus personal consultations with the Township's solicitor. Mr. Spahr expressed concern that a precedent would be set that no supervisor could contact the solicitor, engineer or other professional consultant without prior board approval.

Motion to pay the outstanding invoice from September of \$414.15 to Makel & Associates LLC that pertains to Mr. Cheplic's grading and overweight vehicle permits

Motion by Scott Tkach, Second by Larry Spahr

Roll Call Vote: Parish-no, Cheplic-abstain, Tkach-yes, Spahr-yes, Evans-no. Motion failed.

Motion to approve the invoice from Makel & Associates LLC in the amount of \$76,454.69 for costs for right-of-way easements for the Elrama Sewage Project

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to approve repayment in the amount of \$11,639.01 to the Capital Reserve Equipment Fund of a 2005 loan plus interest of 1% compounded yearly as per the 2007 audit

Motion by Scott Tkach, Second by Linda Evans

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

The Board set a tentative date for a public meeting with the residents included in the Elrama Sewage Project at the Elrama Fire Company social hall on October 30, 2008. The Board also asked Bernie Wagner to arrange a meeting with the West Elizabeth Sanitary Authority to discuss the billing for the Sewage Project on October 21, 2008 at 9:00 or 10:00 a.m. The Chairman and Secretary/Treasurer will attend for the Township.

Three sealed bids for a backup generator for the township office and garage were received as follows: David W. Jones Co-\$38,825 for diesel-powered, \$33,325 for natural gas-powered; Marvel Electric Inc-\$38,284 for diesel-powered, \$34,650 for natural gas-powered; A-1 Electric Inc-\$35,000 for diesel-powered, \$34,000 for natural gas-powered

Motion to table bids for backup generator for study and possible award at the November 10, 2008 meeting

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

No bids were received in response to the advertisement for unleaded gasoline.

Motion to re-advertise for sealed bids for unleaded gasoline for opening at the November 10, 2008 meeting

Motion by Scott Tkach, Second by Larry Spahr

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Sealed bids for 1500 tons, more or less, of rock salt were opened and read as follows: North American Salt Co-no bid; Cargill, Inc-no bid; Eastern Salt Co-no bid; Morton Salt-no bid; International Salt-\$89.00 per ton picked up at the facility in Baltimore, Maryland.

Motion to reject the bid of \$89.00 per ton due to the additional high cost of transportation

Motion by Larry Spahr, Second by Linda Evans

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

The Board discussed the serious ramifications to public safety of the severe shortage of rock salt for treating Township roads this winter.

Motion to accept the bid of \$150.00 per ton for 1500 tons, more or less, of rock salt from Del-Sir Supply on the Washington County Joint Municipal Bid 091708-2JMPP

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to accept a quote for antiskid of \$14.25 per ton delivered from A & S Landscaping

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

The grant writing proposals will be held in abeyance until after development of the 2009 budget.

The Board authorized the solicitor to contact Mr. Clackson to request a date for the Trax rezoning hearing.

The possible hiring of a zoning officer and additional member of the road crew will be held in abeyance until review of the 2009 budget.

Allegheny Valley Railroad intends to repair the railroad crossings on Finley-Elrama and Stone Church Roads, which will entail closing the road for three days, as soon as Penndot approves the detours which will likely involve Township roads: Aber, Lobbs Run, and possibly Patterson Roads.

Motion to approve the Barnum Subdivision with a property line shift with Lot 1 of 1.1061 acres, Lot 2 of .96887 acres, for recording purposes only and subject to mylar being signed by the Union Township Planning Commission and all fees being paid

Motion by Scott Tkach, Second by Larry Spahr

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to sponsor and approve a resolution in support of Behling-Dixon Holdings application for the Local Share Account for the development on Cardox Road

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to approve a temporary access roadway easement through Brownsville Park for Equitrans for \$5000 or an amount as negotiated by the Chairman of the Board

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Mr. Bill Miller, Jefferson Hills Ambulance Service Association, appeared before the Board to invite the Township to appoint a member to their Board in an effort to foster a closer working relationship with the Township. The member would vote on all matters except personnel or operational issues. The solicitor will study the proposal and make a report at the November 10, 2008 meeting.

Motion to advertise 2009 budget workshops on Monday, October 27, 2008 at 6:30 p.m. and Monday, November 17, 2008 at 6:30 p.m., and a special meeting to adopt the proposed 2009 budget on Monday, November 24, 2008 at 7:00 p.m.

Motion by Scott Tkach, Second by Larry Spahr

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

The Board and solicitor will review the requirements in the ordinance codification process as requested by General Code.

Motion to authorize the engineer to obtain the necessary metes and bounds information on Hobbit Lane and Aragon Place as required to qualify for Liquid Fuels funds

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to authorize the Secretary/Treasurer to renew her notary license, with the Township to pay fees as required.

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

The Board authorized the solicitor to investigate the DEP requirements to ban burning in the Monongahela Air Basin and the need to amend the burning ordinance.

Public Comment

Andy Tullai, 26 Cardox Road, commented that Mr. Clackson had not made reference to an existing high pressure gas line or a 48" waterline in his plans for the Trax farm development.

Motion to go into executive session for reasons of possible litigation at 10:35 pm

Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Returned from executive session at 10:50 p.m. Mr. Makel stated that the discussion concerned litigation involving the airport.

Motion to authorize the solicitor to file a motion with the Court of Common Pleas to settle and discontinue the litigation involving the Finleyville Airport

Motion by Scott Tkach, Second by Larry Spahr

Roll Call Vote: Parish-abstain, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Motion to adjourn the meeting at 10:53 p.m.

Motion by Linda Evans, Second by Scott Tkach

Roll Call Vote: Parish-yes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-yes. Motion carried.

Judith L. Taylor, Secretary