

Union Township Board of Supervisors
Regular Monthly Meeting
January 12, 2009

The Board of Supervisors Meeting was called to order by Chairman Steve Parish at 7:05 pm. 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, Carl Dei Cas-Engineer, Joe Ferrero, Kim Gales-Elrama Sewage Project engineers, Judith Taylor-Secretary/Treasurer.

Public Comment

None

Motion to approve minutes of December 8, 2008 regular Board meeting as presented, 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.

Motion to approve minutes of December 16, 2008 special meeting regarding AdVenture continued from December 3, 2008 as presented, subject to being true and correct

Motion by Scott Tkach, second by George Cheplic

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

Motion to approve minutes of December 29, 2008 special meeting as presented, 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.

Motion to approve minutes of January 5, 2009 reorganization meeting as presented, subject to being true and correct

Motion by Scott Tkach, second by Larry Spahr

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

The Board will consider replacement of a 36-inch drain on Garvin Road in the spring and possibly the installation of guiderails.

Quotes were received for 30-inch stop signs, posts and hardware from US Municipal Supply and Walsh Equipment.

Motion to purchase 30-inch stop signs from US Municipal Supply at the lowest quoted price received

Motion by Larry Spahr, Second by Linda Evans

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

Mr. Parish reported that the estimate for the CDBG Street and Drainage Improvements Project in the Village of Elrama as prepared by Mr. Dei Cas is \$355,212. He also reported that the income surveys are almost complete.

Motion to approve Payroll #25 dated December 12, 2008 in the amount of \$7,769.22 presented by the Secretary/Treasurer, subject to being true and correct.

Motion by Larry Spahr, Second by Linda Evans

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

Motion to approve Payroll #26 dated December 26, 2008 in the amount of \$8,906.45 as presented by the Secretary/Treasurer, subject to being true and correct.

Motion by Larry Spahr, Second by George Cheplic

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

Motion to approve Payroll #01 dated January 9, 2009 in the amount of \$7,831.06 as presented by the Secretary/Treasurer, subject to being true and correct.

Motion by Linda Evans, Second by Larry Spahr

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

Motion to pay outstanding bills totaling \$ 27,417.04 from General Fund as of 1/12/09 as presented by the Secretary/Treasurer, subject to being true and correct

Motion by Larry Spahr, Second by Linda Evans

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 held the license agreement with Norfolk Southern in abeyance until the next meeting. KAG Engineering will contact Guyer Brothers, Inc to obtain the required insurance certificate.

Motion to set a tentative deadline of September 1, 2009 for payment of the tap fee of \$1000, with the date for the increases according to the tap in resolution to be moved out if construction is not complete; and to permit residents to make payments on the tap fee

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 approve Elrama Sewage Project Partial Payment Estimate No. 1 for Guyer Brothers, Inc, line items 17 and 18, for a maximum of \$83,100, subject to engineer review and approval and supporting invoice being supplied

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 approve Resolution No 2009-1 dealing with insurance coverage for Penndot Highway Occupancy permit procedure on Route 837 and Finley-Elrama Roads for the Elrama Sewage Project

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 authorize the solicitor to proceed to file right of entry for condemned properties procedures as required and obtain an appraisal of the affected properties in the Elrama Sewage Project

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 agreed to set the third Tuesday of each month at 7:30 a.m. beginning on January 20, 2009 for an Elrama Sewage Project construction meeting to be held at the contractor's office trailer in Elrama.

Dr. Joseph Schwerha spoke concerning traffic safety on Route 88 in regards to the Trax rezoning request. Bill Herder, a resident of Sugar Camp Road in Peters Township, also spoke about increased traffic in neighboring municipalities due to potential development.

Motion to send a letter to the Washington County Redevelopment Authority to request an advance on the Township's next round of funding under the CDBG program for the Elrama Drainage and Street Paving Project

Motion by Larry Spahr, Second by Linda Evans

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

Motion to appoint Stephen Parish, Jr. to the Jefferson Hills Ambulance Service Board for a one year term

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 appoint Cypher & Cypher to perform the 2008 audit

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 appoint Barb Fitterer to the Union Township Planning Commission to complete her unexpired term and to a new 3-year term beginning March 1, 2009

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 will contact Carroll Township to discuss the possibility of creating a joint UCC Board of Appeals.

Motion to appoint Judith Taylor as the Township's representative to the Washington County Sewage Council

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 will review the draft on-lot maintenance ordinance prepared by the attorney for Peters Creek Sanitary Authority for the next meeting.

Public Comment

Chuck Wilson, 316 Stone Church Road, questioned the status of the ordinance codification process and if the Board was intending to hire a full time zoning officer.

Philip Kantor, representing the Finleyville Airport, questioned if there was a permit issued for the gas well recently drilled on the property of Mary Parish. He regarded the structure as an intrusion into the airspace. Mr. Makel stated that the Township has no authority to regulate placement of oil and gas wells. It is regulated by the state.

Motion to have the solicitor research and seek input from the State Ethics Commission, PSATS and PSAB concerning his policy of not charging for telephone calls to and from supervisors, and to offer an opinion on the ethics of offering possibly free legal advice to the Board of Supervisors

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 go into executive session for personnel issues and possible litigation at 9:30 pm

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 returned from executive session at 10:13 p.m. Mr. Makel stated that the Board discussed the AdVenture litigation, the rezoning request of Robert Trax, and litigation concerning the evidence room.

Motion to approve the request by Robert Trax to rezone 45.21 acres of tax parcel number 640-001-00-00-0004-00 from RD to C2, subject to the township's engineer supplying an amendment to the zoning map, the solicitor preparing the required ordinance, and the engineer also supplying a copy of the amended map to Mullin & Lonergan, consultant for the Multi-Municipal Comprehensive Plan; with all costs involved to be borne by the applicant

Motion by Scott Tkach, Second by George Cheplic

Before the call to vote, Mr. Trax agreed when questioned by Mr. Makel, that he understood that he is responsible for all costs related to the rezoning, and Mr. Clackson will send a letter of agreement to the conditions to Mr. Makel. Mr. Makel then stated that Mr. Parish had disclosed that he had a potential conflict of interest in the matter as his daughter is employed by Trax Farms. He had therefore not participated in the discussion in executive session, and is advised to abstain from voting on the issue.

Roll Call: Parish-abstain because of a conflict of interest--abstention memorandum is attached to the minutes, Cheplic-yes, Tkach-yes, Spahr-yes, Evans-no. Motion carried.

Motion to adjourn the meeting at 10:20 p.m.

Motion by George Cheplic, Second by Linda Evans

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

Judith L. Taylor, Secretary