

Union Township Board of Supervisors
Regular Monthly Meeting
April 13, 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 Officer(Interim), Building Code Official, Donald Bucich-Zoning/Code Enforcement Officer, Dennis Makel-Solicitor, Carl Dei Cas-Engineer, Joe Ferrero-Elrama Sewage Project Engineer, Judith Taylor-Secretary/Treasurer.

Public Comment

Andy Tullai, 26 Cardox Road, commented on the Trax rezoning issue.

John Marflak, 6181 Brownsville Road Extension commented on local news articles concerning the Township.

Motion to approve the minutes of March 9, 2009 regular Board meeting as presented, 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 the minutes of March 14, 2009 special meeting as presented, 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 March 23, 2009 public hearing as presented, subject to being true and correct

Motion by Scott Tkach, Second by George Cheplic

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

Motion to approve the minutes of March 30, 2009 special meeting as presented, subject to being true and correct

Motion by Linda Evans, Second by Larry Spahr

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

Motion to approve the minutes of April 6, 2009 special meeting as presented, subject to being true and correct

Motion by Larry Spahr, Second by Scott Tkach

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

Mr. Bucich, Zoning Officer, reported to the Board that several dilapidated mobile homes cannot be removed due to property taxes owed on them.

Motion to have Mr. Bucich and Mr. Makel begin the legal process necessary for disposition of the dilapidated mobile homes in the Township

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 discussed a slip on McChain Road putting pressure against the curb at the edge of the road that appears to be the result of a property owner dumping dirt and grading the area at the top of the bank improperly. The property owner was asked to cease such operations in the past.

Motion to authorize the engineer to review the current situation and report to the Board, and Mr. Bucich will compile all correspondence for Mr. Makel's review

Motion by Scott Tkach, Second by Larry Spahr

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

Mr. Dei Cas reported that there are new regulations and increased fees for the Township's next required DEP MS-4 permit application. He also reviewed and reported on the Environmental Impact report for the Army Nike Sites. The land has been remediated except for a small area which should be kept fenced off, and the buildings have asbestos and lead paint, which would have to be properly treated in the event of demolition or rehabilitation. Mr. Dei Cas will also look into grant funding for the storm water project in the Union Valley area.

Jonathan Madaras, Lieutenant/Information Specialist, Elrama Fire Company, presented the monthly activity report for March, 2009.

Motion to approve payroll #6 dated March 20, 2009 in the amount of \$9,339.36, 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.

Motion to approve payroll #7 dated April 3, 2009 in the amount of \$10,962.46, 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.

Motion to approve payment of general fund invoices in the amount of \$30,078.84 as of April 13, 2009 as presented by the Secretary/Treasurer, 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.

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

Motion to appoint Charles Wilson, 316 Stone Church Road, Finleyville, PA to the Peters Creek Sanitary Board for a five-year term retroactive to January 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 Secretary will send a letter of thanks and appreciation to Mr. Edward Demski for his years of service to his community.

The Board will review the comments received from Tamira Spedaliere, Planning Consultant, on the Multi-municipal Plan agreement.

The solicitor and zoning officer will continue to review the material from General Code for the codification process.

Motion to have the Zoning Officer send a letter to David Hvizdos, attorney for Mr. and Mrs. John Marflak, 6181 Brownsville Road Extension, Finleyville PA, notifying them that the conditional use for the personal care home at the same address has expired as the facility has not been in operation for a period of twelve months

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 will meet with Rick Skovensky, Penndot Municipal Services, to discuss the roads to be included in the 2009 paving contract.

Motion to add George Uremovich to the Union Township Achievement Award in recognition of his years of service to his community

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 discussed a request from Ringgold School District for installation of guiderail and traffic calming measures on the streets near the playground at Gastonville Elementary School.

Motion to authorize the solicitor to prepare an ordinance to amend the traffic control ordinance to place stop signs at the intersection of Gary and College Streets, and College and Union Streets, and to install guiderail at playground area at Gastonville Elementary School for safety purposes

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 schedule a Spring leaf and yard waste curbside pickup on Monday, May 11 and Tuesday, May 12, 2009; and on Monday, May 18 and Tuesday, May 19, 2009

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 advertise for bids for summer road materials to be received by 5:00 p.m. on Monday, May 11, 2009

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 discussed the new law that restricts idling time to five minutes in any hour for trucks using diesel engines. It will be necessary for the Township to post a sign or signs where trucks or equipment customarily idle during operation.

Motion to authorize the Secretary/Treasurer to post a copy of the new Penndot diesel idling restrictions, and to supply a copy and obtain a signed receipt to each employee on the road crew

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 authorize Steve Parish to gather information on replacement costs for Unit #6, 1989 dump truck with over 100,000 miles for the next Board meeting

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 Resolution 2009-4 in recognition of Phillip Gordon Davis, Boy Scout Troop 1452, attaining the rank of Eagle Scout

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 go into executive session for personnel reasons and possible litigation at 9:10 p.m.

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 returned from executive session at 9:53 p.m. Mr. Makel stated that the discussion concerned police officers pensions, road crew insurance, Trax and Marflak litigation, and Monich situation.

Mr. Makel stated that a copy of the proposed Trax rezoning ordinance had been delivered to the Observer Reporter, Law Library and Washington County Planning Commission and advertised according to requirements of the MPC.

Mr. Andy Tullai, 26 Cardox Road, commented in opposition to the Trax rezoning in relation to the Union Township and Washington County Comprehensive Plans, and read Section 105 of the Zoning Ordinance concerning coordination of community development.

Mr. Makel also stated that Mr. Parish had not participated in any discussions pertaining to the Trax rezoning issue due to his conflict of interest in the matter.

Motion to go into executive session for reasons of possible litigation at 10:32 p.m.

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 returned from executive session at 10:34 p.m. Mr. Makel stated that the discussion involved deliberation on the Trax rezoning ordinance.

Motion to approve Ordinance No. 2009-2, amending Ordinance #106, as amended by Ordinance #108 and #113, authorizing the rezoning of the property of Robert L. Trax/Trax Farms Inc, being 45.21 acres of tax parcel number 640-001-00-00-0004-00 from RD to C2
Motion by Larry Spahr, Second by Scott Tkach

Roll Call Vote: Parish-abstain on the advice of the solicitor because of a conflict of interest; abstention memorandum to be attached to the minutes; Cheplic=yes, Tkach=yes, Spahr=yes, Evans=no. Motion carried.

Motion to adjourn the meeting at 10:40 p.m.

Motion by Scott Tkach, Second by Linda Evans

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

Judith L. Taylor, Secretary