

Union Township Board of Supervisors  
Regular Monthly Meeting  
April 12, 2010

The Board of Supervisors Meeting was called to order by Chairman Steve Parish at 7:02 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, Scott Tkach, Larry Spahr, Linda Evans and Andrew Tullai. Also in attendance: Donald Bucich-Zoning/Code Enforcement Officer, Harold Ivery, Jr.-Building Code Official, Dennis Makel-Solicitor, Carl Dei Cas-Engineer (arrived at 8:30 p.m.) Judith Taylor-Secretary/Treasurer.

Public Comment

None

**Motion** to approve minutes of March 8, 2010 regular Board meeting as presented by Secretary-Treasurer, subject to being true and correct  
Motion by Andrew Tullai, Second by Scott Tkach  
Roll call vote: Parish-yes, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

**Motion** to approve minutes of March 9, 2010 emergency Board meeting 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, Tkach-yes Spahr-yes Evans-yes, Tullai-yes. Motion carried.

**Motion** to approve minutes of March 16, 2010 special Board meeting 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, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

The road foreman reported that the road crew was called out by the state police to remove a pile of debris dumped in the middle of Lobbs Run Road. He also reported he would be off work for approximately 2 weeks after knee surgery on April 21, 2010.

Mr. Parish reported that the in ground gas tank had been inspected as required by the DEP. The overfill alarms need to be repaired and then re-inspected. The tank will also need to be swept to remove any dirt and water in the bottom of the tank, and a filter installed on the hose. This is due to the introduction of 10% ethanol gasoline required for summer driving.

The Zoning Officer presented a procedure to identify new residents in the township more quickly. Mr. Parish noted that landlords are not notifying the township when new renters move in as required by ordinance. The Board directed Mr. Bucich to send a letter with a copy of the ordinance to known landlords reminding them of their obligations. He will also request a master list from Pennsylvania American Water of customers in Union Township.

*Subject to Board Approval 5/10/10*

**Motion** to approve payroll #6 dated March 19, 2010 in the amount of \$10,141.30, 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, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

**Motion** to approve payroll #7 dated April 2, 2010 in the amount of \$9,554.61, 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, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

**Motion** to approve payment of the general fund invoices in the amount of \$48,898.41 as of April 12, 2010 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, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

**Motion** to approve payment to KAG Engineering, Inc in the amount of \$11,790 for Invoice No. 23 for the Elrama Sewage Project, contingent upon receipt of report from Joe Ferrero on the problem with the pumps at the Pump Station in March

Motion by Andrew Tullai, Second by Larry Spahr

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

**Motion** to approve payment to First Commonwealth Bank for interest on \$375,000 interim financing drawdown in the amount of \$1,236.77 for the Elrama Sewage Project

Motion by Scott Tkach, Second by Larry Spahr

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

**Motion** to approve payment to Makel & Associates LLC in the amount of \$491.67 for the Elrama Sewage Project

Motion by Larry Spahr, Second by Scott Tkach

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

**Motion** to hire Cypher and Cypher to perform a grant compliance audit on the \$125,000 Economic Advancement Grant as required by the DCED

Motion by Larry Spahr, Second by Scott Tkach

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

The board referred a complaint from Paul Biles concerning a broken sewer line to KAG Engineering for review.

The Board reviewed the joint comprehensive plan of Nottingham Township and Finleyville Borough. There was some question if the Municipal Planning Code requires that two municipalities share a common border. The solicitor will review this issue prior to the township preparing comments for the May 21, 2010 deadline.

*Subject to Board Approval 5/10/10*

**Motion** to adopt Ordinance 2010-1, as advertised, creating a Park and Recreation Board  
Motion by Scott Tkach, Second by Andrew Tullai  
Roll Call Vote: Parish-yes, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

The Board and the Zoning Officer discussed some minor changes to be incorporated in the Motor Vehicle Limitation Ordinance.

**Motion** to adopt Ordinance 2010-2, Motor Vehicle Weight Limitation Ordinance, with required changes as discussed  
Motion by Larry Spahr, Second by Scott Tkach  
Roll Call Vote: Parish-yes, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

An updated fee schedule was held for consideration until the next meeting.

The public hearing on the Zoning Ordinance Amendment dealing with Oil & Gas Extraction will be held on April 26, 2010. All notifications have been made as required. The Union Township Planning Commission submitted a letter to the Board with a comment that production of each established well should be surcharged at one-half of one percent by the Township. Mr. Makel noted that establishing a surcharge is not within the local government purview.

**Motion** to advertise a special meeting for general purposes on Monday, April 26, 2010 following the public hearing scheduled for that date  
Motion by Scott Tkach, Second by Larry Spahr  
Roll Call Vote: Parish-yes, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

The Secretary/Treasurer will be out of the office on April 19, 20, 21, 2010 to attend the PSATS State Convention.

**Motion** to advertise for bids for summer road materials to be received by 5:00 p.m. on Monday, May 10, 2010  
Motion by Linda Evans, Second by Larry Spahr  
Roll Call Vote: Parish-yes, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

**Motion** to schedule a Spring leaf and yard waste curbside pickup on Monday, May 3, 2010 and Tuesday, May 4, 2010; on Monday, May 10, 2010 and Tuesday, May 11, 2010; and on Monday, May 17, 2010  
Motion by Andrew Tullai, Second by Linda Evans  
Roll Call Vote: Parish-yes, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

**Motion** to upgrade the Comcast internet contract to business class with two I.P. addresses in order to install internet access in the office used by the real estate tax collector  
Motion by Larry Spahr, Second by Scott Tkach  
Roll Call Vote: Parish-yes, Tkach-yes, Spahr-yes, Evans-yes, Tullai-yes. Motion carried.

*Subject to Board Approval 5/10/10*

The Board reviewed two proposals for a maintenance service contract on the backup generator at the pump station. The engineer will review and make a recommendation at the next meeting.

Mr. Parish reported to the Board that he had met with a representative of TEPPCO to discuss some repair work to be done in their right-of-way through the township park on Brownsville Road Extension. Mr. Parish had asked him to supply documentation that TEPPCO owns the right-of-way, but a blank easement grant form was supplied instead. Mr. Makel will dictate a letter to the Secretary/Treasurer in response to be emailed to TEPPCO requesting further information.

**Motion** to permit use of the Township Municipal Building for Census 2010 training from April 27, 2010 to April 30, 2010 at no cost

Motion by Linda Evans, Second by Scott Tkach

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

**Motion** to approve the Secretary/Treasurer to attend a seminar on Unemployment Compensation on May 20, 2010 at the North Strabane Township Building at a cost of \$35

Motion by Scott Tkach, Second by Larry Spahr

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

**Motion** to repair the deteriorated catch basin in the Township Building parking lot

Motion by Larry Spahr, Second by Linda Evans

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

**Motion** to authorize the engineer to prepare the specifications and bid documents for the garage drain repairs; and advertise as required for bids to be opened at 7:00 p.m. at the May 10, 2010 Board meeting

Motion by Larry Spahr, Second by Linda Evans

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

The Board asked Harold Ivery, Jr., Building Code Official, to supply a list of commercial electrical inspectors for the next meeting.

**Motion** to purchase a Dell computer and monitor with Windows 7 operating system under the COSTARS contract for the zoning office for a cost of \$1,089

Motion by Scott Tkach, Second by Larry Spahr

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

The Board discussed repair estimates for damages to Airport Road done by Mountain V Oil and Gas Co, and to Garvin Road done by Troyer Logging, as supplied by the engineer.

*Subject to Board Approval 5/10/10*

**Motion** to authorize the solicitor to send letters to Mountain V Oil and Gas and Troyer Logging demanding payment for damages based on the repair estimates supplied by the engineer; with the addition of subsequent damages to Airport Road by recent non-bonded use by Mountain V Oil & Gas

Motion by Scott Tkach, Second by Larry Spahr

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

The Board discussed the mudslide which is again moving out on to McChain Road. Mr. Makel will try to arrange a meeting with Mr. Michael Corace to try to resolve this issue.

Public Comment

Mr. Bernie Wagner, 128 Gun Club Road, requested the Board consider installation of guiderails on a dangerous section of Gun Club Road. He also questioned if a house owned by Thomas Cola on Gun Club Road was being demolished. Mr. Bucich reported that no demolition permit application had been received.

**Motion** to go into executive session for personnel reasons and possible litigation at 9:30 p.m.

Motion by Larry Spahr, Second by Scott Tkach

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

The Board returned from executive session at 10:05 p.m. Mr. Makel stated the discussion concerned the Kingsfield litigation and personnel issues.

**Motion** to authorize the Secretary/Treasurer to purchase two (2) new tamper-proof, self time change adjusting time clocks

Motion by Linda Evans, Second by Scott Tkach

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

**Motion** to authorize the solicitor to send a letter to all personnel that payments for permits, etc., will be by check or money order only, no cash will be received

Motion by Larry Spahr, Second by Scott Tkach

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

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

Motion by Larry Spahr, Second by Linda Evans

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

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Judith L. Taylor, Secretary