

May 8, 2019
Lickdale, PA

The Union Township Board of Supervisors met in regular session on Wednesday, May 8, 2019. The meeting was held at the Municipal Building, 3111 SR 72, Jonestown, PA.

Dennis Firestone called the meeting to order at 7:00 PM.

Present:

Dennis Firestone, Chairman
Kerry McCrary, Vice Chairman
Gary Longenecker, Secretary
Elizabeth Krause, Zoning Officer
Bryan Michael, Road Crew Supervisor
Brent McFeaters, Township Manager
Paul Bametzreider, Solicitor
Steve Sherk, Township Engineer
Fourteen (14) Citizens

PUBLIC COMMENTS

Charles Dresch of 84 Cavalry Road said that on a very wet day there were truck tractors and Humvees training on Cavalry Road, and they are not supposed to be training on that road. He said he talked to one of the trainees who said they were doing night-driving training for two nights and that was the road they were told to use. Mr. Dresch said he also spoke with the Commanding Officer and asked him to stay on the other end of the road, and they did not come back the next day. He said he was hoping that Dave Weisnicht would be in attendance of the meeting so he would be able to talk to him about restricting them from using that half of Cavalry Road for training. Kerry McCrary and Dennis Firestone both commented that we can't keep them off the road, but Dennis Firestone asked Brent McFeaters to contact public service at the Gap to have him and Mr. Weisnicht work together on the issue.

Kerry McCrary asked Steve Sherk if there wasn't supposed to be an apron radius paved into the road, and Steve said they did what was on the roadway improvements plan that was approved by the Supervisors, but said he will check and perhaps he can ask them for one last favor.

APPROVE MARCH 13TH MEETING MINUTES

Kerry McCrary made a motion seconded by Gary Longenecker to approve the April 10th Meeting Minutes. All approved.

FINANCIAL REPORT

Gary Longenecker made a motion seconded by Dennis Firestone to approve the financial report. All approved.

FORT INDIANTOWN GAP – DAVID WEISNIGHT

Mr. Weisnicht did not attend the meeting.

STATE POLICE REPORT

No report was available.

NORTHERN LEBANON FIRE AND EMERGENCY SERVICES (NLFES)

Report available with handouts when provided by NLFES

PLANNING COMMISSION

Liz Krause gave the report for the Planning Commission's May 1st meeting:

1. The Planning Commission reviewed the Eric Newswanger Poultry Operation Preliminary/Final Land Development Plan but took no action on the waivers nor any action on the plan.
2. The Planning Commission recommends the Board approve the waiver request regarding the requirement to provide one (1) foot of freeboard from the 100-year water surface elevation to the top of the basin berm on Jack Messenger Stormwater Management Plan.
3. The Planning Commission reviewed the sketch plan submitted by Rutters who is proposing a traffic signal on Route 72 and recommends support of the traffic signal.

ZONING OFFICER REPORT

Liz Krause, Zoning Officer reported that twelve permits were issued totaling \$389.00 and \$7,365.65 was received in reimbursement of fees.

Krause also reported the following:

John & Linda Light have appealed the Zoning Hearing Board's decision regarding the variances that were denied for their property at 26 Yingst Drive. Attorney Keith Kilgore has prepared the appropriate documents to respond to the appeal that was filed in the Court of Common Pleas of Lebanon County.

Enforcement Issues

The clean-up process has resumed at 47 White Tail Lane and I will continue to monitor until the property is brought into compliance. I also sent a certified letter to the owner of 40 White Tail Lane regarding ordinance violations. I was contacted by the property owner, and they have begun the cleanup process as well.

Dennis Firestone asked how long the cleanup process has been going on at 47 White Tail Lane, and Liz Krause said the first letter was sent last year. Krause explained that she was never contacted by the owner of 47 White Tail Lane regarding the letters that were sent, but they began removing scrap and other items from the property shortly thereafter and continued to work on the lengthy cleanup up until the winter months. Because progress seemed to stop, Krause said she sent another letter last month that the clean-up process must continue, or the matter will be turned over to the Township Solicitor for enforcement, and as previously stated, the clean-up process has resumed. A discussion was held regarding the timeline that should be allowed for property cleanup before enforcement action is taken

and Paul Bametzreider, Township Solicitor commented that it's at the discretion of the Board as to how much time they want to allow before taking enforcement action.

Last month I reported that I sent a letter to the owner of 663 Jonestown Road regarding truck parts, tires and junk lying around on the property located at 663 Jonestown Road. The tires and other miscellaneous items that were scattered on the property have been removed.

Cleanup has begun at 651 Jonestown Road, but the property owner contacted me and asked for more time to clean up the rest of the property due to health issues. I will stay in contact until the property is brought into compliance.

The chicken coup and the manure that was being stored on the neighboring property at 200 Moonshine Road was removed. A permit was obtained, and the chicken coup was placed at a location on the property that meets the setback requirements.

Last month I reported that a mobile home was removed and being replaced at 15 Batz Lane without a permit and the Board authorized Atty. Bametzreider to send an enforcement notice to the property owner requiring him to remove the mobile home from the property. Atty. Bametzreider said that the mobile home as it sets is compliant with the ordinances and felt that maybe it was too much to ask the owner to take out the trailer and recommends that the Board impose a fine of \$100.00 for not obtaining the required permits. After a brief discussion Kerry McCrary made a motion seconded by Gary Longenecker to impose a fine of \$100.00 to the owner of 15 Batz Lane for failing to get a permit. All approved.

Several people have complained about being solicited at their home about installing Solar Panels. I contacted Trinity Solar and informed them that they must stop soliciting homeowners in Union Township until they obtain Transient Permits.

Krause also informed the Board that the Township received a general inspection report from DEP regarding approximately 2,000 tires being stored at various locations on the property at 15 Campmeeting Road. Atty. Bametzreider said that it appears that DEP is handling the matter, but the Board instructed Krause to stay in touch with DEP for the status of the cleanup and to report to the Board next month to determine if a notice of violation should be sent from the Township.

ROAD FOREMAN REPORT – BRYAN MICHAEL

Kerry McCrary asked Brent McFeaters about the southern end of Silvertown Road and where the Township Road ends. He said the manure haulers run into the yard at the parsonage when it rains, they are bringing mud and manure out on the street which gets all over the cars when they drive on the road after church. He asked Brent McFeaters, Township Manager to get into to contact with the owner of the property. Dennis Firestone suggested Brent call George Christianson and tell him to call his client.

ENGINEER'S REPORT – STEVE SHERK –

MOTION TO AWARD THE OIL/CHIP/SCRATCH LEVELING BID

Steve Sherk explained to the Board that bids were received earlier in the day for the Union Township oil and chip work and Martin Paving, Inc. of Lititz was the low bidder with a price of \$73,487.21. He added that their bid includes the necessary 10% Bid Bond, Non-Collusion Affidavit, and Public Works Verification Form. He recommended the Board

award the Contract to Martin Paving, Inc. contingent upon receipt of the required performance and payment bonds. Dennis Firestone made a motion seconded by Kerry McCrary to award the Contract for the oil and chip work in the amount of \$73,487.21 to Martin Paving for Pine Tree Road, Yingst Drive, Maple Lane, Hoover Drive and North Silvertown Road (scratch leveling only) contingent upon receipt of the required performance and payment bonds. All approved. Steve said he will send an intent to award letter to Martin Paving.

JACK G. MESSENGER II STORMWATER MANAGEMENT PLAN WAIVER REQUEST

Steve Sherk said that due to the small scale of the proposed stormwater facility, he was in support of the waiver as requested. Kerry McCrary made a motion seconded by Dennis Firestone to approve the waiver of the requirement to provide one (1) foot of freeboard from the 100-year water surface elevation to the top of the basin berm. All approved.

1. Street Occupancy / Driveway Permits: A permit was issued to NLCA for sewer lateral replacement at 40 Colonial Drive.
2. Atlantic-Sunrise Pipeline. I conducted an inspection of the permitted road crossings and driveways with Allan Berenbrok on April 25 (see inspection report dated May 7, 2019). Road repairs are scheduled to begin later this week or early next week. Cavalry Road is scheduled for oil & chip resurfacing later this month. Steve said he met with Allan Berenbrok and he will come back at the end of the summer to look at it.
3. Bordnersville Road Improvements. Pavement overlay was completed last month.
4. Holiday Inn Express (81 Room Hotel) Lickdale. Nothing new to report. Financial security shall be posted before the plan is signed and recorded. No construction associated with the hotel structure, including foundation work, is permitted until the Subdivision and Land Development Plan is signed and recorded.
5. Green Point School Road Bridge. The right-of-way agreement was received from DCNR. The agreement needs to be approved and signed by the Board of Supervisors.

Paul Bametzreider recorded Township Resolution No. 2019-4 condemning temporary and permanent right-of-way over the land of the Herman J. Krissinger Living Trust with the Lebanon County Recorder of Deeds. The next step is for Paul to negotiate the terms of settlement, subject to approval of the Board of Supervisors and/or the Court of Common Pleas.

The bid opening for the Construction Contract is scheduled for Wednesday, May 8 at 9am. Bid results will be summarized in a separate letter.

Steve said they opened the bids for the Greenpoint School Road Bridge Construction Contract at 9:00 a.m. and CriLon Corporation of Somerset, PA was the low bidder with a price of \$314,318.19. He added that CriLon's bid includes the necessary 10% Bid Bond, Non-Collusion Affidavit, Act 127 Verification Form and Bidder's Qualification Questionnaire. Steve said he recommends the Township award the Construction

Contract to CriLon Corporation contingent upon receipt of a financial statement, performance bond, payment bond and fully executed Agreement between Owner and Contractor. Dennis Firestone made a motion seconded by Gary Longenecker to award the bid for the construction of the Green Point School Road Bridge to CriLon Corporation in the amount of \$314,318.19 contingent upon receipt of a financial statement, performance bond, payment bond and fully executed Agreement between Owner and Contractor. All approved. Steve noted that they are right on budget with the bridge project.

Steve also reported that on April 19th he sent a letter to the Board stating that he approved the Shop Drawings for the bridge and appurtenant facilities and recommended the Board approve the payment of \$11,783.30 to Big R. Bridge which is 10% of the contract price and is required to be submitted after review and approval of all the shop drawings. Brent McFeaters noted that the payment has been made. Dennis Firestone made a retroactive motion seconded by Kerry McCrary to approve and ratify the 10% deposit to Big R Bridge in the amount of \$11,783.82 for the Greenpoint School Road Bridge Project. All approved.

6. Quartermaster Road Culvert. The GP-11 application was not reviewed by DEP due to a potential impact to bog turtle habitat. We conducted a Phase 1 Bog Turtle Habitat Survey and submitted results to the USFWS. Our survey results indicate a negative bog turtle habitat. We still require the USFWS to review our survey results (regardless of positive or negative results) and provide a concurrence letter. Based on previous experience, we estimate the USFWS review will take approximately 2 months to complete. DEP will not review the GP-11 registration until we provide updated PNDI results and bog turtle clearance letter.

We plan to send legal descriptions and easement exhibits to John Saufley after we receive comments from PA DEP and are certain the design is acceptable such that the easement won't change.

7. Silvertown Road Culverts. We are still waiting for DEP's review and approval of the GP-11 permit registration.
8. Colonial Drive Re-Surfacing Project. The Contracts have been signed and a Notice to Proceed letter was sent to Pennsy Supply. Pennsy Supply is supposed to notify me prior to the start of work to schedule a pre-construction meeting to review the scope of work.
9. Oil & Chip Re-Surfacing Contract. The bid opening for the Oil & Chip Re-Surfacing Contract is scheduled for Wednesday, May 8 at 3pm. Bid results will be summarized in a separate letter. This was covered earlier in the meeting.
10. Logistics Park Phase 1 – Lot 1 (501 Old Forge Road). All the previously reported site work deficiencies were corrected. Therefore, we recommend release of remaining financial security in the amount of \$73,887.00. Dennis Firestone made a motion seconded by Gary Longenecker to release \$73,887.00 of the Logistic Park Phase 1 – Lot 1 (Old Forge Road) financial security. All approved.

JONESTOWN BOROUGH REQUEST FOR RECREATION FUNDS

Tom Keefer, representing Jonestown Borough Council referred to a letter recently sent to the Board requesting \$59,111.01 from Union Township's Recreation Fund to fund work that they would like to do in their park. He explained to the Board that they would like to coat and seal their tennis court at a cost of \$8,825.67, install LED Lights at the cost of \$5,035.34 and pave the walking trails for \$45,250.00. He added that they are a small Borough with a small budget and without grant money and other funding would not be able to do these types of projects.

Kerry McCrary asked if they will be using local contractors to do the work and Mr. Keefer said that because they have received some grant money for part of the work, the park trails will have to go out on bid. Mr. Keefer continued by saying that they purchased the lights from Dauphin Electric but he will converting them over to LED himself, so there will be no outside contractor for the lights and the tennis courts will be done by Seal Master, because there is nobody local who can provide that service. Dennis Firestone informed the Township residents that were in attendance of the meeting that if the funds are provided to Jonestown Borough, it will come out of Recreation Fund money which is from developers, not taxpayer money from the General Fund. Since Union Township does not have any recreational facilities and Union Township's residents can use the Jonestown Borough facilities, Mr. Firestone said he would be in support of the project.

Atty. Bametzreider said he would draw up an agreement which is subsequent to the Inter-Municipal Agreement that will provide a detailed description of the projects, how the money is to be used, and that it must be used within a year. Dennis Firestone made a motion seconded by Kerry McCrary to give \$59,111.01 to Jonestown Borough from the Recreation Fund contingent on the agreement being executed and signed by all parties. All approved.

SOLICITOR'S REPORT – PAUL BAMETZREIDER

Atty. Bametzreider presented the Board with the DCNR Agreement pertaining to the Right-of-Way that is needed for the Greenpoint School Road Bridge Project. Atty. Bametzreider pointed out to the Board that he is not happy with the fact that the agreement is only good for 35 years but said that is the longest amount of time allowed for such ROW agreements. After a brief discussion, Dennis Firestone made a motion seconded by Gary Longenecker to sign the DCNR agreement for the Right of Way for the Green Point School Road Bridge Project. All approved.

NEW BUSINESS

RUTTER'S PROPOSED RED LIGHT ON STATE ROUTE 72

Damon Hall, Engineer for Rutter's presented the Board with a sketch plan of a proposed Rutter's store showing a proposed traffic signal located on Route 72 just north of the State Route 72 and Jonestown Road Intersection. Mr. Hall explained that they are asking for a letter from the Township to Penn Dot in support of the traffic signal, which would provide access to their proposed Rutter's Store and to Supreme whose access drive would be modified. He explained that Penn Dot originally expressed concerns about a full movement driveway, but they feel this traffic signal brings it together and solves the problem because it would eliminate the long lanes of traffic coming out of Supreme noting

that Rutter's would make all the improvements at their expense. Mr. Hall said he spoke to John Daniels of Supreme about the proposal, and he seemed to be in support of the signal but said he would have to talk to his higher ups before they can write an official letter in support of the signal. Dennis Firestone commented that he doesn't understand why the Township must provide a letter in support of the traffic signal, because he feels that Penn Dot should come to the Township first.

Kerry McCrary asked about the resources for maintenance of the traffic signal and Paul Bametzreider, Township Solicitor said that the Township could require Rutter's to maintain the signal and added that he has a sample agreement that he could provide.

A discussion was held regarding the location of the light from the exit ramp to Route 22 and also the distance of the light from Jonestown Road. Mr. Hall said the specifics would have to be worked out when they submit to Penn Dot.

After a lengthy discussion, Dennis Firestone made a motion seconded by Kerry McCrary to provide a letter to Penn Dot in support of Rutter's traffic signal proposal. All approved. The Board authorized Steve Sherk to write the letter on Township letterhead on behalf of the Board.

MOTION TO PURCHASE A 2019 2090M JOHN DEERE TRACTOR FROM DEERE COUNTRY FARM AND ALAWN, INC. AND 2019 DIAMOND MID-MOUNTED FLAIL MOWER FROM STEPHENSON EQUIPMENT

Dennis Firestone explained that the tractor being replaced is 28 years old and for safety reasons, the State would prefer that the tractor be encased for the safety of the operator. He explained that the Township would like to purchase a 2019 5090M John Deere Tractor supplied with Alliance road tires from Deer Country Farms and Lawn Inc., and that the quoted price is \$54,356.06 which includes the trade of the 1993 John Deere tractor at a trade-in value of \$8,000. He added that they will also purchase a 2019 Diamond Model DSF0075-C 75" mid mounted flail mower from Stevenson Equipment at a quoted price of \$29,758.97 which includes installation and extra parts. After a brief discussion Dennis Firestone made a motion seconded by Gary Longenecker to authorize the purchase of the John Deere tractor in the amount of \$54,356.06 with the diamond mounted flail mower in the amount of \$29,758.97. All approved.

GLRA AWARDED RECYCLING AWARD

Dennis Firestone announced that last evening the Greater Lebanon Refuse Authority awarded Union Township with a Recycling Award for outstanding recycling achievements in 2018. Mr. Firestone thanked Herb Eckert from the road crew for his hard work in keeping our facility clean and tidy.

BILLS PAYABLE

Dennis Firestone made a motion seconded by Kerry McCrary to pay the bills in the amount of 116,055.56 from the General, Recycling, Liquid Fuels, Street-Light & Payroll Funds. All approved.

ELECTION DAY

Dennis Firestone announced that Election Day is Tuesday May 21, 2019.

CENSUS TAKERS NEEDED

Mr. Firestone also announced that Census Takers are needed and to see Brent McFeaters, Township Manager if anyone is interested or check out their website at 2020census.gov/jobs or call (855)-562-2020.

DATE OF NEXT PLANNING COMMISSION MEETING

Wednesday June 5, 2019 - 7:00 PM

DATE OF NEXT LICKDALE TREATMENT PLANT MEETING

Wednesday, June 12 , 2019 - 6:30 PM

DATE OF NEXT BOARD OF SUPERVISORS MEETINGS

Wednesday, June 12, 2019 - 7:00 PM

OTHER COMMENTS

Nancy Light asked if there was any news about a medical center going in around the corner on Jonestown Road and State Route 72 because she saw the properties were sold. Dennis Firestone said the Township was not aware of anything at this time.

ADJOURNMENT

With no further business or comments, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Elizabeth Krause
Recording Secretary