

July 14, 2021
Lickdale, PA

The Union Township Board of Supervisors met in regular session on Wednesday July 14, 2021. The meeting was held at the Municipal Building, 3111 SR 72, Jonestown, PA.

Dennis Firestone called the meeting to order at 6:43PM.

Present:

Dennis Firestone, Chairman

Kerry McCrary, Vice Chairman

Gary Longenecker, Secretary

Brent McFeaters, Township Manager

Elizabeth Krause, Zoning Officer

Bryan Michael, Road Crew Supervisor

Paul Bametzreider, Township Solicitor & Atty. Andrew Race

Steve Sherk, Township Engineer

Seven (7) Residents

Atty. Steven Feinstein for Guy Militello

Chris Hoffer & Tom Smida for Bond Refunding

PUBLIC COMMENTS

Attorney Steven Feinstein explained to the Board that his client, Guy Militello purchased his property at 295 Awol Road in 2008 and built his home, a horse barn and a horse pool in 2010 but after the homes went in across the street, somehow the grading on those properties and their driveways has allowed the rain and water to run-off onto Mr. Militello's property causing hundreds of thousands of dollars of damage. He explained that this water is washing away the foundation of the horse barn and pool and is also creating ruts on the property which is a risk of injury to both people and the horses on the property pointing out that Mr. Militello has already lost one of his horses when it got out of the barn and tripped in one of the gullies, broke its ankle and had to be put down. Atty. Feinstein said at one point Mr. Militello installed his own curb, but it was plowed away, and said that if the Township would be willing to install a curb, it would be an easy fix to protect the property.

Atty. Bametzreider, Township Solicitor said the Township could look into the matter and pointed out that the Township is not the stormwater police, but the Board could send the Township Engineer to look into the matter to determine if this is a Township problem or a private matter. The Board agreed that Steve Sherk should investigate the matter and report back to the Board with his findings.

Glenn Rudy said he noticed that the hotel behind Wendy's is now called "Holiday Inn Express" asked if the plans for the Holiday Inn Express on State Route 72 fell through. Liz Krause, Zoning Officer said Sam Sharma, the owner of the property is still paying the reserve EDUs for the hotel project and in a previous conversation indicated that he would be using a different franchise for his new hotel.

Tia Moyer of 64 Cavalry Road said she feels there is a big safety concern due to all

the truck traffic on Bordnersville Road, Cavarly Road and Old Forge Road pointing out that there are at least three to five trucks a week driving on Cavalry Road which are turning around in her driveway and causing damage to the road. Mrs. Moyer said she feels something needs to be done because the trucks are traveling way too fast and at times there are children playing or riding bike along the road.

Kerry McCrary said the Board has been looking into putting signs on Fisher Avenue which will prohibit left turns onto Bordnersville Road and they've also checked to see if the Gap or the State Police could help with the problem but have not had success with any of those options. Brent McFeaters added that they have to get Permits from PennDot to get approval for the signs. Steve Sherk, Township Engineer said they've already discussed putting signs up on Bordnersville Road not to allow trucks to travel on the road, but once they make the turn onto Bordnersville Road from Fisher Avenue, then it's too late because they then have to travel to find a place to turn around and unfortunately the Moyer's driveway is probably large enough. A lengthy discussion was held regarding the Gap's gate installation on Fisher Avenue and the type of signage (including signs noting the direction of the different warehouses) that could eliminate some of the trucks traveling on the wrong roads to get to the warehouses.

APPROVE BOS MEETING MINUTES FROM THE JUNE 9, 2021, MEETING

Gary Longenecker made a motion seconded by Kerry McCrary to approve the June 9, 2021, Board of Supervisors meeting minutes. All approved.

FINANCIAL REPORT -

Kerry McCrary made a motion seconded by Gary Longenecker to approve the Financial Report. All approved.

FORT INDIANTOWN GAP – DAVID WEISNIGHT

Mr. Weisnicht did not attend the meeting

STATE POLICE – MONTHLY REPORT

NORTHERN LEBANON FIRE AND EMERGENCY SERVICES (NLFES)

The report is available with handouts (only when provided by the NLFES)

LIFE LION AMBULANCE SERVICES

Monthly report is available with handouts (only when provided by Life Lion)

PLANNING COMMISSION – LIZ KRAUSE

Liz Krause said there was no Planning Commission Meeting

ZONING OFFICER REPORT – LIZ KRAUSE

Liz Krause, Zoning Officer reported that thirteen (13) permits were issued totaling \$13,502.00 and \$1,009.74 was received in Reimbursement of Fees

ZHB Case 21-05

On June 28, 2021, the Zoning Hearing Board granted Jason Propst the variance (with conditions) to the Lot Width requirements for Lot 3 on his proposed subdivision on his property located at 288 Ft. Swatara Road.

- There are no changes at the John and Linda Light Property. Atty. Bametzreider said he will file a municipal lien for the costs incurred up until now and bring action against the Light's for Contempt of Court for not cleaning up the property.
- It appears that more junk and a few more tires have been dumped at 15 Campmeeting Road. It was also noted there is significant overgrowth of the grass and weeds. A discussion was held about a change in the original cleanup date of July 12th and Atty. Bametzreider said the Sheriff was on vacation but will now be at the property on August 2nd. Herb Eckert commented that he sees a "Mike's Junk" truck going in and out of the property.
- It was reported at last month's meeting that Attorney Bametzreider's office sent a ten-day notice to the property owner of 97 Moonshine Road to produce the registrations of the two trailers that remain on the property. Atty. Race said they filed a motion for default judgment and asked the court for attorney fees and to order that the property be cleaned up based upon the default judgment.
- There has been significant cleanup done at 47 White Tail Lane. Several boats were removed and as stated in the July 7th letter from the property owner, he will continue to remove the junk and bring the property into compliance. Atty. Bametzreider noted that the owner is past the 30-day appeal period but as long as he continues to clean up, we are good the Township but if he doesn't, the Township has the right to move forward with enforcement action.
- On Monday, July 12th, Judge Tylwalk ordered Mr. Gipe to pay the legal fees related to the previous enforcement issues at 239 Awol Road. Mr. Gipe paid those fees to Attorney Bametzreider's office shortly after the Hearing. Atty. Bametzreider added that his office will be sending a check to Union Township for the fees that were paid by Mr. Gipe.
- A complaint was filed regarding the property at 223 Awol Road. I will be meeting with the property owner Friday afternoon to verify the property's compliance or non-compliance to our ordinances. Nancy Light said that her son purchased that property a few years ago and it is very well maintained compared to when it was owned by the previous owner.

ROAD FOREMAN REPORT – BRYAN MICHAEL

Bryan Michael said the Road Crew was working on Neuins Lane and has been trimming trees and mowing grass.

ENGINEERS REPORT – STEVE SHERK, TOWNSHIP ENGINEER

1. Ridge Road Culvert Replacement. DEP has finally approved the GP-11 permit. We are working on the construction drawings and bid documents and hope to be ready to advertise the project later this week so bids can be opened in time for the August Supervisors' meeting.
2. Sand Siding Road (Dirt, Gravel and Low Volume Road (DGLVR) Grant. The required bonding and certificate of liability insurance were received, and the contracts have been signed with Custer Excavating. We issued a Notice to Proceed on July 1, 2021. A pre-construction meeting is scheduled for this Friday at 9am at the Township. Lane Enterprises is targeting the week of August 9th for delivery of the culvert and appurtenant facilities.
3. 2021 Paving and Oil & Chip Contracts. All work has been completed except for line painting on Fort Swatara Road. See my letters recommending full payment to E.K. Services, Inc. and partial payment Russell Standard Corp, pending completion of the line painting. Dennis Firestone made a motion seconded by Kerry McCrary to authorize the payment of \$46,104.05 to E. K. Services. All approved. Also as recommended by Steve Sherk, Dennis Firestone made a motion seconded by Gary Longenecker to authorize the partial payment of \$34,950.27 to Russel Standard for the line painting. All approved.
4. Damage to Bordnersville Road. The damaged section of Bordnersville Road, opposite from the south entrance to Cavalry Road, was repaired last month. Steve added that the Board might want to think about a more permanent solution for the issues on Cavalry Road since Calvary Road is not designed to handle all the truck traffic that was discussed under the Public Comments.
5. Freightliner. Site work is scheduled to start this week. A pre-construction meeting was held yesterday.
6. Lebanon Federal Credit Union. Site Work is also scheduled to start this week. A pre-construction meeting with Woodland Contractors is scheduled for Thursday morning.

Before concluding his report, Steve informed the Board that the Paving Restoration has been completed at 2 Colonial Drive and it came out very well.

SOLICITOR'S REPORT – PAUL BAMETZREIDER

Attorney Bametzreider said that the Public Hearing for the Zoning Ordinance amendment to eliminate the 500' setback requirement for intensive animal husbandry buildings will be advertised to be adopted at next month's meeting.....verify on recording

STIFEL INVESTMENT SERVICE – CHRIS HOFFER – REVIEW PFM BONDING LOAN INFORMATION FOR SEWER TREATMENT PLANT AND TOWNSHIP BUILDING

Atty. Bametzreider said Chris Hoffer and Tom Smida of Stifel, Nicolaus & Company are attending the meeting to review the proposed bond refunding and present the Board with the Ordinance that will authorize them to proceed to price the bond.

Mr. Hoffer explained that the importance of tonight's meeting is for the official action for the new bond issue which will refund the 2016 bonds noting that the Township has had a

significant upgrade in its credit rating which is also driving the refunding savings. The refunding has a call date of November 21st and will close around August 17th. The current interest rates are at a 40-year low and if priced today, the savings would be \$100,000.00 or a little higher which includes all the costs involved with the refunding.

After a detailed presentation by Tom Smida of the refunding process and the Ordinance for the refunding, Atty. Bametzreider recommended the Board adopt Ordinance #182 for refinancing the Bond. Dennis Firestone made a motion seconded by Gary Longenecker to adopt Ordinance #182 for refinancing the bond. All approved.

AMENDMENT GOVERNOR WOLFE ADOPTED #161 AMENDMENT TO THE SUNSHINE LAW.

Atty. Bametzreider informed the Board that on June 30th Governor Wolfe adopted Act 65 2021 which is an Amendment to the Sunshine Law which requires that as of August 29th the Township meeting agenda must be posted a minimum of 24 hours before a meeting and the Board can only vote on those matters that are on the agenda unless it's an emergency matter. Dennis Firestone commented that everything should be put on the agenda that you might want to discuss at the meeting, and items not acted upon can be tabled.

NEW BUSINESS

PUMP STATION 3 FENCE REPAIRS

Brent McFeaters, Township Manager informed the Board that he received a quote from Steve Dove Fence Company for \$3,197.50 for the repairs to the fence at Pump Station 3. He said the claim was made with the insurance company and the Township has a \$500.00 deductible for the repairs.

STREET SIGN REQUEST –

Mr. McFeaters said that due to safety concerns for his children, Burnell Martin of 86 Maple Lane has asked to have two “Children at Play” signs installed along Maple Lane since there is a hill south of their residence and sometimes people out sightseeing or driving at a higher rate of speed. Dennis Firestone made a motion seconded by Gary Longenecker to authorize two “Children at Play” sign be installed on Maple Lane near the Martin property. All approved.

DISCUSSION TO ALLOW NON-RESIDENTS TO OBTAIN GATE CARDS TO THE RECYCLING CENTER

Brent McFeaters said that so far 410 Union Township residents have purchased gate cards for the Recycling Center and that he has approximately 80 cards left for Township residents. He said that Herb Eckert is hauling an average of four (4) bins a week. He noted that the expenses dropped from \$2,800 a month to approximately \$800 a month.

As discussed at the June meeting, Brent asked if the Board was interested in allowing residents from other municipalities to purchase cards to use the center, and if so, how much should be charged for the card.

Dennis Firestone said he feels the fee should be set at \$50.00 for residents from outside Union Township, and Kerry McCrary said he feels the Township should wait at least another

month to make sure all Union Township residents are able to get a card. After a brief discussion, the Board agreed to wait until the August meeting to make a decision.

OLD BUSINESS – NONE

OTHER COMMENTS

Glenn Rudy asked if Jonestown Road is being paved this year, and Dennis Firestone said it will not be paved this year.

Steve Sherk said he received some good news regarding the “Green Light Go Grant” funding and said they will be sending out the grant reimbursement agreement in the near future.

BILLS PAYABLE

Dennis Firestone made a motion seconded by Kerry McCrary to pay the bills in the amount of \$107,495.71 from the General, Recycling, Liquid Fuels Street-Light, & Payroll Funds. All approved.

DATE OF NEXT PLANNING COMMISSION MEETING

Wednesday, August 4, 2021- 7:00 PM

DATE OF NEXT LICKDALE TREATMENT PLANT MEETING

Wednesday, August 11, 2021 - 6:30 PM

DATE OF NEXT BOARD OF SUPERVISORS MEETINGS

Wednesday, August 11, 2021 - immediately following the Lickdale Sewer Meeting

ADJOURNMENT

With no further business or comments, the meeting was adjourned at 8:23 p.m.

Respectfully submitted,

Elizabeth Krause
Recording Secretary