

August 11, 2021
Lickdale, PA

The Union Township Board of Supervisors met in regular session on Wednesday August 11, 2021. The meeting was held at the Municipal Building, 3111 SR 72, Jonestown, PA.

Dennis Firestone called the meeting to order at 6:50 PM.

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

Eleven (11) Residents

PUBLIC COMMENTS

Atty. Bametzreider announced that the Hearing on Ordinance # 181 will commence at 7:00 p.m.

Gene Mease owner of 2827 and 2829 SR 72 said he is interested in purchasing the land that is designated for Recreation from Jeff Camp's Logistics Park Land Development Plan. Mr. Mease explained that the land he would like to purchase is west of his property and fronts Old Forge Road.

Paul Bametzreider, Township Solicitor said that normally there is a Resolution that goes along with the land which contains restrictive language stating that the land that is designated for recreation and the Township would have to go through the Orphan's Court to enter an order to release the Resolution. Atty. Bametzreider said before being able to sell the property, the Township would have to review the deed, file a petition and advertise a public notice to sell the property. Dennis Firestone asked who would cover those expenses and Attorney Bametzreider suggested those expenses could be covered by the purchaser. A discussion was held about the process involved with selling the property, but it was determined that the first step would be to get the market value of the land in question prior to incurring any other expenses.

The Township meeting was recessed at 6:59 p.m. pending the Public Hearing.

The Public Hearing was called to order at 7:00 p.m.

Paul Bametzreider, Township Solicitor announced that this Public Hearing is being held regarding Ordinance #181 which is an amendment to the Zoning Ordinance to eliminate the lot line requirements in the Agricultural Zoning District for intensive animal husbandry which will bring the Township's regulations into compliance with the State law.

Kathy Phillips of 75 Campmeeting Road questioned the regulations and Steve

Sherk, Township Engineer explained that the Intensive Animal Husbandry regulations in the Agricultural Zoning District of the Zoning Ordinance were revised a few years ago in order to bring the Township's regulations into compliance with the State regulations, and this section of the Ordinance was inadvertently left in place and should have been removed at that time.

Since there was no other discussion on Ordinance # 181, the Public Hearing was adjourned at 7:05 p.m.

Dennis Firestone reconvened the Board of Supervisor's meeting at 7:05 p.m.

APPROVE BOS MEETING MINUTES FROM THE JULY 14, 2021, MEETING

Gary Longenecker made a motion seconded by Kerry McCrary to approve the July 14, 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 available with handouts only when provided by the PSP

NORTHERN LEBANON FIRE AND EMERGENCY SERVICES – ROB TAYLOR

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

LIFE LION AMBULANCE SERVICES – JOHN SHOOK

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

PLANNING COMMISSION – LIZ KRAUSE

1. Home 2 Suites Land Development Plan
No new information was received, and the plan was tabled until the September meeting.
2. Miller Bed & Breakfast Subdivision & Land Development Plan
The Planning Commission recommends the Board accept the 90-day extension as granted in Chrisland Engineering's letter dated 8/1/21. No other action was taken, and the plan was tabled until the September meeting.
Dennis Firestone made a motion seconded by Gary Longenecker to accept the 90-day time extension for the Miller Bed & Breakfast Subdivision & Land Development Plan. All approved.
3. Eric Newswanger Poultry Operation Revised Land Development Plan
The Planning Commission recommends the Board approve the plan with the condition that Fulton Bank provide an addendum/letter stating that the existing Letter of Credit covers this revised plan.

Attorney Bametzreider said the Letter of Credit will incorporate the changes in Eric Newswanger's revised final plan and Steve Sherk noted that the existing Letter of Credit should be reduced from 674,000.00 to \$199,040.22 to cover the improvements on the revised plan.

Dennis Firestone made a motion seconded by Gary Longenecker to approve the Eric Newswanger Poultry Operation Revised Land Development Plan and reduce the Letter of Credit from \$674,000 to \$199,040.22. All approved.

New Business

1. Miller Family Irrevocable Trust, Darryl Miller Subdivision Plan

Since hard copies of the plan were not submitted to Steve Sherk for review prior to the meeting, no action was taken, and the plan was tabled until the September meeting.

ZONING OFFICER REPORT – LIZ KRAUSE

Liz Krause, Zoning Officer reported that eight (8) permits were issued totaling \$912.45, \$2,540.00 was received in Plan Submission Fees and \$1,009.74 was received in Reimbursement of Fees. Krause also reported that \$5,000.00 was received for a Rezoning Petition submitted by Swift Transportation

- There are no changes at the John and Linda Light Property. Attorney Bametzreider said the Township can do three things.
 1. Have the right to go on the property and clean it up and lien the property for the expenses.
 2. Right to proceed to have the Court impose fines up to \$500.00 per day since April 30th of 2020 and can lien the property.
 3. Township can clean up the property and lien for the costs. Attorney Bametzreider said there are around \$5,200.00 in fees accumulated so far. The Board agreed that Attorney Bametzreider should file the lien and have the fine set to lien the property and sell it.
- On Monday, August 9, I observed Michael Diehl (owner of Mike's Junk) burning mattresses and other household items at 15 Campmeeting Road. Mr. Diehl said he was helping to clean up the property as requested. I explained that these items are not allowed to be burned and provided him with the GLRA regulations (and later informed Skip Garner of the GLRA of the incident). Mr. Diehl cooperated and put out the fire and said he lives in Harrisburg and provided his address and phone #. Yesterday, (August 10th) when checking on the property, I was informed that Mr. Diehl does live in the camper with Randy Blouch and not in Harrisburg as he said. Atty. Bametzreider said he spoke with the Sheriff and Atty. George Christianson filed a motion on behalf of Mr. Blouch asking for Hearing regarding the items that were levied by the Sheriff but the order from the Judge is not back yet. He noted that Mr. Blouch has the burden to prove that he owns items on the property that were levied by the Sherriff and will have to produce titles and receipts because Mr. Blouch is claiming that the personal property that was levied by the Sheriff is his.

Attorney Bametzreider added that if the Township does clean up the property, the Sheriff will only be on the property for a few hours and the Township will have to contact a Constable for additional time during the cleanup. Atty. Bametzreider pointed out that the property could be going up for tax sale prior to next month's meeting and suggested authorizing someone from the Township to bid on the property to protect the Township's interest. Kerry McCrary made a motion seconded by Gary Longenecker to authorize Dennis Firestone to bid on the property at 15 Campmeeting Road at the tax sale. All approved.

- 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. As of yesterday, there is only one trailer remaining on the property.
Atty. Race said the property owner is working on getting titles for several of the trailers that were on the property because the trailers were owned by his uncle. Atty. Race noted that he has filed a motion for default judgement for the attorney fees that have been accrued due to not bringing the property into compliance prior to enforcement.
- Again, this month there has been significant cleanup done at 47 White Tail Lane.
- Last month I reported that complaint was filed regarding the property at 223 Awol Road. I visited the property on July 16th and found the property is well maintained and no evidence of any rats or other vectors as stated in the complaint.

ROAD FOREMAN REPORT – BRYAN MICHAEL

Bryan Michael said the Road Crew has been mowing grass and cleaning culverts. Kerry McCrary asked about the status of the truck Brent McFeaters said they will have the new truck intime to plow snow.

ENGINEERS REPORT – STEVE SHERK, TOWNSHIP ENGINEER

1. Ridge Road Culvert Replacement. The construction drawings and bid documents are ready to go. We are waiting for signed R-O-W and Easement Agreements from the adjoining landowners before advertising the project for bids.
2. Sand Siding Road (Dirt, Gravel and Low Volume Road (DGLVR) Grant. A pre-construction meeting held on July 16th. The aluminum plates and other culvert components are ready for shipment. Custer Excavating, Inc. is targeting the end of the month to start work.
3. 2021 Paving and Oil & Chip Contracts. See letter dated August 9, 2021 recommending final payment to Russell Standard Corporation for line painting work. Dennis Firestone made a motion seconded by Kerry McCrary to authorize the payment of \$7,322.20 to Russell Standard as recommended in Steve Sherk's letter dated August 9, 2021. All approved.
4. 2 Colonial Drive SWM Plan. See letter dated August 10, 2021 recommending termination of the letter of credit and refund of the deposit for road restoration. Dennis Firestone made a motion seconded by Kerry McCrary to release the remaining \$800.00 of 2 Colonial

Drive's letter of credit and refund the \$2,000.00 street restoration deposit as recommended in Steve Sherk's letter dated August 10, 2021. All approved.

5. 295 AWOL Road (Guy Militello) Drainage Complaint. See letter dated July 30, 2021 with my observations and assessment of the situation.

Steve referred to his letter and provided the Board with a recap stating that he doesn't think the Township did anything to increase the runoff onto the property and added that the runoff from the existing development across the road is conveyed into the existing culvert based on the topography and mapping. As far as the houses that have gone in, in recent years, the size of the lots and everything else met the Township's requirements at that time. He added that he feels there are some things Mr. Militello could do on his property to prevent some of the issues with the washouts and gullies, but he doesn't know what the Township would have done to make the runoff worse when he bought the property because the property does sit low, the structures sit low, and water is going to flow from high ground to low ground.

Mr. Militello referred to pictures of his property before the homes went up across the street and said there was no damage to his property at that point in time but as soon as all the homes went in, especially the house directly across the street, which was raised about 5 or 6 feet above grade he started having problems.

After a lengthy discussion regarding the water issue, Mr. Militello asked to have the Board's decision to the matter in writing. Atty. Bametzreider said he will send a letter to Mr. Militello explaining the Board's decision regarding the water issue on his property.

6. Freightliner. Site work is underway.
7. Lebanon Federal Credit Union. Site Work is underway.

SOLICITOR'S REPORT – PAUL BAMETZREIDER

GOVERNOR WOLF ACT #65 - AMENDMENT TO THE SUNSHINE LAW.

Atty. Bametzreider reminded the Board that the agenda for next month's meeting must be posted on the building and on the Township's website 24 hours before the meeting.

BONDING UPDATE

Atty. Bametzreider informed the Board that the savings for the bonding is \$122,000.00 which will be closing early in September.

ORDINANCE #181

Atty. Bametzreider presented Ordinance #181 to the Board explaining that the Hearing was held earlier and as previously discussed, this Ordinance will eliminate the 500' minimum setback distance requirement from the Intensive Animal Husbandry use structures in the Agricultural District. Dennis Firestone made a motion seconded by Gary Longenecker to adopt Ordinance #181. All approved.

NEW BUSINESS

KNIGHT SWIFT TRANSPORTATION REZONING PETITION

Atty. Bametzreider informed the Board that he has received a rezoning Petition from Swift who has an option to purchase two Agricultural-zoned properties next to their facility which are owned by Kevin Walmer at 3156 SR 72 and 3186 SR72. He explained that Swift would like to use the land for parking and storing trailers and are requesting that the land be rezoned from Agricultural to Industrial. Atty. Bametzreider asked if the Board would consider rezoning the properties, and if so, authorize him to take the necessary steps to set up a Hearing. After a lengthy discussion regarding the rezoning Petition, Dennis Firestone made a motion seconded by Kerry McCrary to authorize Atty. Bametzreider to take the necessary steps to set up a Hearing for Swift's Rezoning Petition. All approved.

HELPING EAST HANOVER TO MOW

Due to a retired employee and equipment costs, East Hanover Township has asked if the Township would be interested in helping to mow their roadways in the 2022 mowing season. The Board agreed that they are not interested in the request.

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

Brent McFeaters said he only issued ten access cards to the Recycling Center since last month's meeting and asked if the Board was interested in taking action to allow non-residents to purchase cards. A discussion was held regarding issuing cards to non-residents, but the Board tabled action on the matter until the September meeting.

OLD BUSINESS – NONE

BILLS PAYABLE

Gary Longenecker made a motion seconded by Dennis Firestone to pay the bills in the amount of \$142,345.39 from the General, Recycling, Liquid Fuels Street-Light, & Payroll Funds. All approved.

DATE OF NEXT PLANNING COMMISSION MEETING

Wednesday, September 1, 2021- 7:00 PM

DATE OF NEXT LICKDALE TREATMENT PLANT MEETING

Wednesday, September 8, 2021 - 6:30 PM

DATE OF NEXT BOARD OF SUPERVISORS MEETINGS

Wednesday, September 8, 2021 - immediately following the Lickdale Sewer Meeting

ADJOURNMENT

With no further business or comments, the meeting was adjourned at 8:11 p.m.

Respectfully submitted,

Elizabeth Krause
Recording Secretary