

September 8, 2021  
Lickdale, PA

The Union Township Board of Supervisors met in regular session on Wednesday September 8, 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

Seven (7) Residents

#### PUBLIC COMMENTS

Glenn Rudy of 516 Jonestown Road said he heard a rumor and feels the Board should put a moratorium on building warehouses on the East side of Route 72. Paul Bametzreider, Township Solicitor said that in 2005 the Supreme Court rendered a decision that zoning moratoriums and building moratoriums are unconstitutional in Pennsylvania. Steve Sherk added that the area in question is zoned Agricultural and warehouses are not allowed in the Agricultural District and only the Board of Supervisors would have the power to change that.

Glenn Rudy also commented about the ducks and geese that are in the stormwater pond at the Lebanon Federal Credit Union's property.

Helen Light of 58 Moonshine Road asked why there is a payment for fuel reimbursement for use of a personal vehicle when the Township truck could be used instead. Dennis Firestone noted that the Township truck is used by the road crew and is usually being used when trips must be made by the Township Manager to do Township business.

#### APPROVE BOS MEETING MINUTES FROM THE AUGUST 11, 2021, MEETING

Gary Longenecker made a motion seconded by Kerry McCrary to approve the August 11, 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

Liz Krause reported that due to the forecast of severe weather with possible flooding the September Planning Commission meeting was cancelled but presented the Board with an email from Neil Patel dated August 30, 2021, granting a 180-day time extension for the Home 2 Suites Land Development Plan. Dennis Firestone made a motion seconded by Gary Longenecker to accept the 180-day time extension for the Home 2 Suites Land Development Plan. All approved.

ZONING OFFICER REPORT – LIZ KRAUSE

Liz Krause, Zoning Officer reported that eight (8) permits were issued totaling \$556.00 and \$137.00 was received in Reimbursement of Fees.

- There are no changes at the John and Linda Light Property. Attorney Bametzreider said his office is working on putting the complaint together to file against Mr. Light and will have a full report for next month's meeting.
- There are no visible changes at 15 Campmeeting Road other than it appears that more junk was brought in. Atty. Bametzreider reported that since Randy Blouch did not show up at the Hearing, the Judge threw out his property claim, and Mr. Kennedy is now represented by Atty. Josh Harshberger of Harrisburg who said he will file a Complaint of Ejectment to have Randy Blouch and whoever else is squatting on the property ejected from the property. He noted that Mr. Kennedy said he will have the property cleaned up and he was told he has until October 31<sup>st</sup> or the Township will move forward to clean up the property.

Dennis Firestone asked if Mr. Kennedy has any rights after October 31<sup>st</sup>. Atty. Race added that at this point they have not confirmed that they have agreed to October 31<sup>st</sup> because Mr. Kennedy originally wanted 90 days, but Atty. Race said that is too long. He noted that he did reach out to Atty. Harshberger, but he has not yet responded.

Atty. Bametzreider pointed out that since Mr. Blouch's property claim was thrown out of Court, the Township can go in under the levy at any time. Atty. Bametzreider added that since Mr. Kennedy nor his Attorney, Josh Harshberger have not responded, he recommends they contact the Sherriff's office and get the Sheriff Sale for the contents of the property rescheduled. A discussion was held regarding the options available to the Township and the Board agreed that Atty. Bametzreider should contact the Sheriff's Office to schedule the sale of the contents of the property at 15 Campmeeting Road.

- 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 a Hearing for the Attorney's Fees is scheduled on September 14<sup>th</sup> at 1:30 p.m. and he's estimated they are looking to get the Township reimbursed around \$1,400.00 to \$1,500.00 for the attorney fees accrued since the property was not brought into compliance prior to enforcement.
- Other than a few boats being moved around, there was no significant change on the property at 47 Whitetail Lane. The Board agreed that Atty. Bametzreider should send another letter to the property owner regarding the violations and the Township commencing action if the property is not brought into compliance.

#### ROAD FOREMAN REPORT – BRYAN MICHAEL

Bryan Michael said the Road Crew replaced a culvert on Awol Road and fixed a section where the water pushed up the road and they are now back to mowing grass. A discussion was held regarding the timetable and the cost of the repairs to the damage on Awol Road. Steve said the Township was fortunate that the ground wasn't heavily saturated because there was no significant damage done to any of the roads due to the heavy rain.

#### 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. The aluminum plates and other culvert components are ready for shipment from Lane Enterprises. The heavy rain from Hurricane Ida delayed the original start date about a week. Custer Excavating, Inc. plans to start work this week (week of September 7<sup>th</sup>). They expect intermittent road closures this week during tree removal. The road will stay closed for the duration of construction starting on September 13<sup>th</sup>. Custer expects construction to be completed by the end of the first full week of October. However, they will need and are requesting a contract time extension to allow for the extra week needed. Kerry McCrary made a motion seconded by Dennis Firestone to grant a two-week time extension to the contract with Custer to complete the work. All approved.
3. 50 MSC Drive (Brewster's Development) – Bond Reduction. See letter dated September 3, 2021 recommending reduction in bond. As recommended in Steve Sherk's September 3<sup>rd</sup> letter, Dennis Firestone made a motion seconded by Gary Longenecker to reduce the letter of credit by \$518,020.00 leaving a balance of \$18,700.00. All approved.
4. Jason Propst Subdivision (Lot 4B) – Letter of Credit Reduction. See letter dated September 7, 2021 recommending reduction in the bond. As recommended in Steve Sherk's September 7<sup>th</sup> letter, Dennis Firestone made a motion seconded by Kerry McCrary to release the full letter of credit for Lot 4B of the Jason Propst Subdivision Plan in the amount of \$29,249.00. All approved.

Bordnersville Road & State Route 72 Intersection

Brent McFeaters explained that due to the steep embankment and water running across the road causing washouts on the Bordnersville Road and State Route 72 Intersection, there is concern about tractor trailers making the turn and getting too close to the edge of the macadam which could cause them to roll down the embankment because the guard rails are no longer in the ground. Steve Sherk said he had a geotechnical engineer look at it and he recommends a short gravity wall and lessening the severity of the slope and then put backfill behind the wall. Steve said if they encroach into Penn Dot's right of way, they may have to file a Highway Occupancy Permit, but most of the work will be in the Township's right of way. Steve said he will prepare a cost estimate for the project. A lengthy discussion was held about the project, the types of easements required to do the work and Brent McFeaters said he will speak with Mr. Bernheisel prior to getting too far into the planning of the project. Steve also pointed out since they will be extending a culvert, they could possibly use Recovery Act money and Atty. Bametzreider agreed that it would fit into the regulations for the use of that money since it says you can use it to resolve stormwater issues in the Township.

Kerry McCrary asked if there is a possibility of a traffic signal ever being needed at that intersection, because then the whole intersection would have to be changed if a traffic signal would be installed. A discussion was held regarding the I-78/I-81 Logistics Park Land Development Plan and the funding that Jeff Camp said he would provide for a traffic signal at that intersection. Steve Sherk said there is a provision in the Logistics Park Phase II Land Development Plan for a follow-up traffic study, and Atty. Bametzreider said that he would have to go back and look through the agreements to see how the timetable was stated in the Logistics Park agreement.

**SOLICITOR'S REPORT – PAUL BAMETZREIDER**

Atty. Bametzreider said that notices were sent out regarding the Swift's Petition for Rezoning and since the Planning Commission's September meeting was cancelled, they won't be providing comments or a recommendation until October.

**NEW BUSINESS**

**MOTION TO APPROVE THE 2020 MMO FINANCIAL NUMBERS FOR THE YEAR.**

Kerry McCrary made a motion seconded by Dennis Firestone to approve the MMO financial numbers for the year of 2020. All approved.

**SIGNS TO DETER UNWANTED TRACTOR TRAILER TRAFFIC ON BORDNERSVILLE ROAD**

Brent McFeaters, Township Manager said that for the past few months they've been having a lot of problems with trucks traveling on Bordnersville Road from Fisher Avenue. Brent added that there are currently two "no trucks" signs on the road but he's found some bigger signs with red flashing lights that cost approximately \$225.00 each which might be better to deter the unwanted tractor trailer traffic on Bordnersville Road. Kerry McCrary said that he feels that putting a sign on Bordnersville Road is pointless because once the truck makes the turn, it's too late and he feels the signs should be put on Fisher Avenue. Brent

noted that the officials from Ft. Indiantown Gap said the Township shouldn't spend a lot of money on signage due to the fact that they will eventually be installing the gate and will have signage for trucks on I-81. After a lengthy discussion, Gary Longenecker made a motion seconded by Kerry McCrary to install the signs with the flashing lights at Fisher Avenue & Bordnersville Road. All approved.

#### MOTION TO APPROVE LINE PAINTING/THERMAL ARROWS FOR THREE INTERSECTIONS.

Brent McFeaters explained he received a quote in the amount of \$11,342.00 from Berks Traffic for the line painting and thermal arrows at three intersections located at Fisher Avenue and Old Forge Road, Fisher Avenue and State Route 72, and Jonestown Road and State Route 72. After a brief discussion, Dennis Firestone made a motion seconded by Kerry McCrary to approve the quote from Berks Traffic for the line painting and thermal arrows at the three intersections. All approved.

#### MOTION TO APPROVE THE PAVING QUOTE FOR AWOL ROAD CULVERT AND ROADWAY AREAS FROM HOFFER PAVING IN THE AMOUNT OF \$6,500.00

A discussion was held about additional work that will be done, none of which must be bid out, so no action was taken by the Board on the quote from Hoffer paving for the Awol Road Culvert and Roadway areas.

#### TOWNSHIP LAND ALONG OLD FORGE ROAD

Brent McFeaters explained that Eugene Mease is interested in purchasing the Township-owned land on Old Forge Road that was given to the Township in lieu of money for the Recreation Fund and if this parcel is sold, the money will have to be put back into the Recreation Fund, which will then eventually be given to other municipalities. He pointed out that perhaps the Township could use the land to store stone or pipes. Atty. Bametzreider said he researched the deed and there is no restrictive covenant on it, but if it is sold, the money would have to be put in the Rec Fund. The Board agreed that they are not interested in selling this property since it could be used by the Township for storage of materials.

#### LEBANON COUNTY LAND PRESERVATION BOARD ASKING FOR DONATIONS

Brent McFeaters explained that the Lebanon County Land Preservation Board is asking for donations to preserve farmland in Lebanon County and in 2020 the Board donated \$1,000.00. Kerry McCrary made a motion seconded by Dennis Firestone to donate \$1,000.00 to the Lebanon County Land Preservation Board. All approved.

#### MOTION TO ALLOW NON-RESIDENTS TO USE THE RECYCLING CENTER

Brent McFeaters informed the Board that last month three more Union Township residents purchased cards to access the Recycling Center and that the expenses incurred are averaging about \$500.00 month. A discussion was held about allowing non-Union Township residents to purchase recycling cards, the fee that should be charged, and the number of cards that could be issued. After a lengthy discussion, Dennis Firestone made a motion seconded

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by Kerry McCrary to authorize Brent McFeaters to issue cards to non-residents in the amount of \$50.00 each and not to exceed 100 cards. All approved

OLD BUSINESS – NONE

BILLS PAYABLE

Gary Longenecker made a motion seconded by Dennis Firestone to pay the bills in the amount of \$65,962.33 from the General, Recycling, Liquid Fuels Street-Light, & Payroll Funds. All approved.

DATE OF NEXT PLANNING COMMISSION MEETING

Wednesday, October 6, 2021- 7:00 PM

DATE OF NEXT LICKDALE TREATMENT PLANT MEETING

Wednesday, October 13, 2021 - 6:30 PM

DATE OF NEXT BOARD OF SUPERVISORS MEETINGS

Wednesday, October 13, 2021 - immediately following the Lickdale Sewer Meeting

ADJOURNMENT

With no further business or comments, the meeting was adjourned at 8:04 p.m.

Respectfully submitted,

Elizabeth Krause  
Recording Secretary