

December 8, 2021
Lickdale, PA

The Union Township Board of Supervisors met in regular session on Wednesday December 8, 2021. The meeting was held at the Municipal Building, 3111 SR 72, Jonestown, PA.

Dennis Firestone called the meeting to order at 6:45 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

Scott Rights, for Steve Sherk, Township Engineer

Eleven (11) Residents

PUBLIC COMMENTS

Nathan Daub of 43 Bordnersville Road said he has some concerns regarding issues on Bordnersville Road that he'd like to discuss with the Board. Mr. Daub continued by explaining that the amount of traffic on Bordnersville Road and Old Forge Road as well as the speeding makes it hard for them to pull out from their property. He also said he feels the retention pond is causing a mosquito problem which seems to be getting worse every year, but his main concern is the persistent problem of trash being dumped at the old pig farm. A discussion was held about Mr. Daub's concerns and the Township's right-of-way, and Atty. Bametzreider said it's not the Township's responsibility to remove the garbage if it's not in the Township's right of way and he will contact Jeff Camp, the owner of the former pig farm notifying him that the property is deteriorating, and the garbage must be removed.

Lastly, Mr. Daub asked for information regarding the right-of-way at his property because his yard was dug up further back for the stormwater swale than what he was originally told and is further back on his property than on his neighbor's property. Atty. Bametzreider said they will review the plans and provide Mr. Daub an answer regarding the swale and the right of way at his property.

APPROVE BOS MEETING MINUTES FROM THE NOVEMBER 10, 2021, MEETING

Gary Longenecker made a motion seconded by Kerry McCrary to approve the November 10, 2021, Board of Supervisors meeting minutes. All approved.

FINANCIAL REPORT -

Kerry McCrary 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 – Sergeant Matthew Klein
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 January meeting.

2. Miller Bed & Breakfast Subdivision & Land Development Plan

No new information was received, and the plan was tabled until the January meeting.

3. Off Road Realty Preliminary/Final Land Development Plan

The Planning Commission recommends the Board approve the following waivers:

- Section 3:04 – Preliminary Plan - to allow the plan to be processed as a Preliminary/Final Plan
- Section 5.11.C.10 – Street Improvements – waive street improvements
- Section 5.13.A. & 5.13.B. Curbs & Sidewalks
- Section 13.e. – Piping shall have a minimum diameter of 15” – Allow pipe sizes less than 15”

The Planning Commission recommends the Board approve the Plan contingent upon any remaining comments being addressed prior to the Supervisors meeting.

Dennis Firestone made a motion seconded by Gary Longenecker to approve the four waivers as recommended by the Planning Commission. All approved.

Dennis Firestone made a motion seconded by Kerry McCrary to approve the Off Road Realty Preliminary/Final Land Development Plan contingent upon receipt of the signed and notarized agreements. All approved.

At 7:02 p.m. Dennis Firestone turned the meeting over Paul Bametzreider, Township Solicitor.

PUBLIC HEARING TO REZONE TWO PARCELS

Atty. Bametzreider called the Public Hearing to rezone two parcels just north of the current Swift facility to order at 7:02 p.m. He explained that the Second-Class Township Code requires that a Public Hearing take place before the Township can rezone those parcels.

Atty. Bametzreider explained that Swift has an Agreement of Sale to purchase two parcels just north of their facility and the Township has received their request to rezone parcel # 33-2312906-412928-0000 and parcel # 33-2313113-413152-0000 from Agricultural Zoning to Industrial Zoning. He pointed out that both parcels are directly across from land that is already zoned Industrial, and the Municipal Planning Code requires that the Township receives any public comments regarding the potential rezoning of these properties and opened the floor for public comment.

Helen Light of 58 Moonshine Road asked if Swift would be installing a new driveway to access the property. Jacie Boyd of Swift said they are purchasing these properties for additional parking and no new driveway will be installed.

Marty Finlan of 3204 State Route 72 said he is concerned because if the property is rezoned to Industrial, Swift could propose something different in the future, and nothing could stop it. Mr. Finlan said he is happy for the people who were able to sell their property to Swift, but now Swift's facility will be closer to other properties that are still residential which means there could be more lighting, more noise, etc. Atty. Bametzreider noted that Swift would have to go through the whole land development process and comply with all the regulations of the Subdivision and Land Development Ordinance as well as the Zoning Ordinance.

Atty. Bametzreider opened the floor to the Board of Supervisors for comments. Gary Longenecker pointed out that the property across the street is already zoned Industrial so it would not be spot zoning, but acknowledged Mr. Finlan's concerns about the lighting, Atty. Bametzreider said the lighting will have to be directed down and will not be allowed to radiate outward to the surrounding properties. Glenn Rudy asked if the parking lot will be stoned or paved, and Jacie Boyd of Swift said they will pave it and make it flush with the rest of their property

Mr. Finlan asked if there could be any issues with water runoff or issues with their well water, but Atty. Bametzreider said because they are adding impervious surface, Swift will be required to contain their water within the lot itself which will have to be demonstrated on their stormwater plan and their subdivision & land development plan, which will be executed and put on record. If at some point it would be determined that they are in violation of those requirements, it could be brought to the attention of the Township and the Township would enforce the stormwater ordinance.

Since there were no other questions or comments the Public Hearing was adjourned at 7:15 p.m. and the regular meeting was called back to order.

PLANNING COMMISSION REPORT – LIZ KRAUSE (CONTINUED)

4. Tillet, Inc. Preliminary/Final Land Development Plan

The Planning Commission recommends the Board approve the following waivers:

- Section 3:04 – Preliminary Plan - to allow the plan to be processed as a Preliminary/Final Plan
- Section 5.11.C.10 – Street Improvements – waive street improvements except as required by PennDot for HOP approval
- Section 5.13.A. & 5.13.B. Curbs & Sidewalks – waive curbs and sidewalks requirements except as required by PennDot for HOP approval to match the adjacent properties.

The Planning Commission also recommends the Board approve the Plan.

Dennis Firestone made a motion seconded by Kerry McCrary to approve the waivers as recommended by the Planning Commission. All approved.

Since Atty. Bametzreider confirmed that the agreements and the Letter of Credit are in place, Dennis Firestone made a motion seconded by Gary Longenecker to approve the Tillet, Inc. Preliminary/Final Land Development Plan. All approved.

New Business

4. Jason & Bonita Propst Land Subdivision Plan

The Planning Commission recommends the Board approve the following waivers:

- Section 3:04 – Preliminary Plan - to allow the plan to be processed as a Preliminary/Final Plan
- Section 5.11.C.10 – Street Improvements – waive street improvements

No other action was taken, and the plan was tabled until the January meeting.

Dennis Firestone made a motion seconded by Gary Longenecker to approve the waivers for the Jason & Bonita Propst Land Subdivision Plan as recommended by the Planning Commission. All approved.

ZONING OFFICER REPORT – LIZ KRAUSE

Liz Krause, Zoning Officer reported that two (2) permits were issued totaling \$136.00, 226.83 was received in reimbursement of fees and \$360.00 was received in plan submission fees.

- There are no changes at the John and Linda Light Property. Atty. Bametzreider said they filed the writ of “sire facias” which was served to John and Linda Light and the 30 days have about expired and will proceed to the next level to have the matter presented to the Sheriff for possible sale of the real property.
- The property at 15 Campmeeting Road has been cleaned up and the total cost of the cleanup has been forwarded to Atty. Bametzreider. Atty. Bametzreider said he received a call from Atty. Josh Hashberger who wanted to have Kennedy sell the property, pay the Township off, and keep any excess proceeds. Atty. Bametzreider said he asked for a written proposal for tonight’s meeting. Since a written proposal wasn’t provided prior to the meeting, he said they will proceed with the municipal claim.

Brent McFeaters, Township Manager said they put barricades across the property to deter anyone from dumping garbage on the property. Kerry McCrary asked how much it cost to clean up the property and Brent said the total costs incurred are \$58,000.00. A discussion was held about the added mileage that was put on the recycling truck and the problems that have occurred after using it to haul all the tires away from Campmeeting Road. Atty. Bametzreider said that part of the cost for the truck repairs might be allowed to be added to the cost of the clean-up if the Township can quantify it and have a reasonable practical basis for whatever the

value is. Brent said they will go over the invoices when they are received to come up with a number

- There doesn't appear to be any changes at 47 White Tail Lane.
- The property at 519 Awol Road has been brought into compliance.

ROAD FOREMAN REPORT – BRYAN MICHAEL

Bryan Michael reported that in the last month they've finished working at 15 Campmeeting Road, completed the laydown area on Old Forge Road, installed some signs and are working on the gabion baskets to be installed on Greenpoint School Road.

ENGINEERS REPORT – STEVE SHERK, TOWNSHIP ENGINEER (reported by Scott Rights)

1. Ridge Road Culvert Replacement. 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. See my letter dated November 11, 2021 recommending final payment to Custer Excavating, Inc. in the amount of \$8,300.00. We will need copies or PDFs of the cancelled checks for all three payments to Custer Excavating and the payment to Lane Enterprises for the culvert materials and footer design before submitting the DGLVR grant reimbursement request. Dennis Firestone made a motion seconded by Gary Longenecker to pay \$8,300.00 to Custer Excavating, Inc. All approved.

We submitted another DGLVR grant application for Phase 2 of the Sand Siding Road project. Phase 2 will add drainage improvements between the new culvert and the southern end of the road. We received feedback from Lebanon County Conservation District on the grant application and are working through some revisions the preliminary design and cost estimate to meet grant eligibility requirements.

3. Bank Stabilization at 1 Bordnersville Road – We are proceeding with survey, final plans, and bid documents for the proposed gravity wall system with rock backfill as shown on the sketch plan previously shared with the Township. We are also working on an easement exhibit and legal description for the encroachment onto the lands of James Bernheisel.
4. Truck Restrictions on South Quartermaster Road/Biddle Drive – With the impending closure of Fisher Avenue to traffic through Fort Indiantown Gap (FTIG) there has been renewed discussions concerning truck restrictions on South Quartermaster Road and Biddle Drive. It is our understanding FTIG would be responsible for installing the necessary truck restriction signage on the approaching and subject roadways. However, the Township would have to approve an Ordinance restricting certain large vehicles and trucks.

Based on correspondence between engineers for PennDOT and FTIG, it appears PennDOT's approval of an Engineering Study/TE-109 form is not required to implement truck restrictions on South Quartermaster Road and Biddle Drive, even if truck restriction signs are installed on the approaching PennDOT roads. Jason Bewley from PennDOT has expressed concern the Engineering Study/TE-109 forms completed by Hanover Engineering in October 2019 lack sufficient basis for a truck restriction. Based on our review of the Engineering Study/TE-109 forms, Hanover has demonstrated the roadway geometries don't meet current recommendations for roadway/shoulder widths given the

anticipated traffic. Hanover also mentions the structurally deficient drainage structures as an additional justification. Hanover could have taken the Study a couple steps further by breaking down the traffic counts to include the existing/predicted heavy vehicle (truck) ADT on Quartermaster Road and Biddle Drive and providing structural analyses of the existing pavements on each road. However, Hanover probably felt these additional steps were unnecessary given the geometric review and documented deficiencies with some of the drainage structures.

Ultimately, the Township needs to decide if there is sufficient documentation to enforce a truck restriction. At a minimum, Hanover's Engineering Study/TE-109 form should be supplemented to make specific recommendations on the class of vehicles restricted and the type and location signage necessary.

5. PennDOT Green Light-Go Agreement – Fisher Avenue - Signal Improvements – The Green-Light Go grant was suspended in early 2020 due to Covid-19. The grant was recently reinstated, and the Township has received an executed agreement. The approved scope of work includes traffic signal retiming, the replacement of existing loop detectors with radar detection (both advanced and stop bar detection), the replacement of outdated controllers to provide monitoring and communications technology and the installation of retroreflective backplates at the intersections of Fisher Avenue (S.R. 4020)/S.R. 0072 and Fisher Avenue/I-81 Ramps.

In late 2019, the estimated cost of the approved scoped of work, including engineering and permitting, was \$234,465.00. Per the grant agreement, the maximum amount of reimbursement to the Township is \$187,572.00. The Township is responsible for all costs in excess of the project cost estimate cited in the grant agreement. At least \$30,000.00 of the Township's contribution will come from developer contributions.

If the Township decides to abandon the project, it may terminate the agreement by sending PennDOT and 30-day written notice of termination. The Township will be responsible for reimbursing PennDOT all costs for the project up to the date of termination.

6. Burnell Martin Poultry Operation – See my letter dated December 6, 2021 recommending release of the remaining financial security in the amount of \$120,043.33. Dennis Firestone made a motion seconded by Kerry McCrary to approve the release of \$120,043.33 of the Burnell Partin Poultry Operation's financial Security leaving a balance of \$40,608.70. All approved.

SOLICITOR'S REPORT – PAUL BAMETZREIDER

ORDINANCE #183 KNIGHT-SWIFT TRANSPORTATION PETITION FOR REZONING

Atty. Bametzreider explained that Ordinance # 183 was the subject of the Public Hearing held earlier this evening and this Ordinance, if adopted by the Board, would rezone the two properties north of the Swift facility (parcel # 33-2312906-412928-0000 and parcel # 33-2313113-413152-0000) from the current designation of Agricultural to Industrial Zoning and asked the Board if they felt there was any need for a discussion or if they just wanted to proceed and adopt the Ordinance. Dennis Firestone made a motion seconded by Kerry McCrary to adopt Ordinance # 183 to rezone the two parcels north of Swift Trucking (parcel

33-2312906-412928-0000 and parcel # 33-2313113-413152-0000 from Agricultural zoning to Industrial. All approved.

RESOLUTIONS

RESOLUTION #5-2021 – ADOPT THE 2022 BUDGET

Atty. Bametzreider said the 2022 Budget has been posted and advertised for the residents, as per the Second-Class Township Requirements. Dennis Firestone made a motion seconded by Kerry McCrary to adopt Resolution # 5-2021 which adopts the 2022 Budget. All approved.

RESOLUTION #6-2021 – TAX LEVY – 2022 FIRE HYDRANT TAX

Dennis Firestone made a motion seconded by Gary Longenecker to adopt Resolution #6-2021 for the 2022 Fire Hydrant Tax. All approved.

RESOLUTION #7-2021 – TAX LEVY – GENERAL PURPOSES STREET TAX FOR 2022

Dennis Firestone made a motion seconded by Kerry McCrary to adopt Resolution # 7-2021 for the General Purposes Street Tax for 2022. All approved.

RESOLUTION # 8-2021 – DEP EFA REGISTRATION FORM TO FILE PERMITS ONLINE TO DEP

Dennis Firestone made a motion seconded by Gary Longenecker to adopt Resolution # 8-2021 regarding the DEP EFA registration permission form to file permits online to DEP. All Approved.

Atty. Bametzreider also informed the Board that he has advertised that the Township will appoint a CPA at the Organization Meeting which will be held on the first Monday of January.

NEW BUSINESS

MOTION TO APPROVE 2022 C.M. HIGH PREVENTATIVE MAINTENANCE AGREEMENT

Brent McFeaters, Township Manager explained that the contract amount for C. M. High's preventative Maintenance Agreement is \$2,045.00 as it was for the previous three years. Dennis Firestone made a motion seconded by Kerry McCrary authorizing Brent McFeaters to sign C. M. High's Preventative Maintenance Agreement. All approved.

MOTION APPROVE THE MEETING SCHEDULE FOR 2022

Dennis Firestone made a motion seconded by Gary Longenecker to approve the following 2022 Meeting Schedule:

The following meeting will be held at the Municipal Building on the first Wednesday of each month:

Planning Commission Meetings – starting at 7:00 PM

The following meetings will be held at the Municipal Building on the second Wednesday of each month:

Lickdale Sewer Meetings – starting at 6:30 PM
Board of Supervisors Meetings – meeting will begin right after the Lickdale Sewer Meeting.

The Annual Traffic and Parking Commission shall meet on January 12, 2022 following the regular Board of Supervisors meeting.

All approved.

MOTION TO APPROVE PAYMENT OF \$114,475.78 TO LEGACY FOR 2021 SINGLE AXLE DUMP TRUCK

Kerry McCrary made a motion seconded by Gary Longenecker to approve the payment of \$114,475.78 to Legacy for the purchase of the 2021 single axle dump truck. All approved.

MOTION TO APPROVE QUOTE OF \$4,045.00 FROM A & H EQUIPMENT FOR STREET SWEEPER RENTAL

Brent McFeaters said the street sweeper will be rented from April 25, 2022 to April 29, 2022 from A. H. Equipment at a cost of \$4,045.00. Dennis Firestone made a motion seconded by Kerry McCrary to approve the quote of \$4,045.00 for the street sweeper rental from A. & H. Equipment. All approved.

OLD BUSINESS – NONE

OTHER COMMENTS

Herb Eckert asked the Board to remind the Swift representatives that were attending the meeting to tell their drivers not to park along Old Forge Road.

BILLS PAYABLE

Dennis Firestone made a motion seconded by Gary Longenecker to pay the bills in the amount of \$161,877.48 from the General, Recycling, Liquid Fuels Street-Light, & Payroll Funds. All approved.

DATE OF THE ORGANIZATION MEETING

Monday, January 3, 2022 – 1:00 p.m.

DATE OF NEXT PLANNING COMMISSION MEETING

Wednesday, January 5, 2022- 7:00 PM

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DATE OF NEXT LICKDALE TREATMENT PLANT MEETING

Wednesday, January 12, 2022 - 6:30 PM

DATE OF NEXT BOARD OF SUPERVISORS MEETINGS

Wednesday, January 12, 2022 - immediately following the Lickdale Sewer Meeting

ADJOURNMENT

With no further business or comments, the meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Elizabeth Krause
Recording Secretary