

October 12, 2022  
Lickdale, PA

The Union Township Board of Supervisors met in regular session on Wednesday October 12, 2022. The meeting was held at the Municipal Building, 3111 SR 72, Jonestown, PA.

Dennis Firestone called the meeting to order at 6:57PM.

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  
Steve Sherk, Township Engineer  
Chief Farneski – Cleona Police Department  
Eight (8) Residents

#### PUBLIC COMMENTS

Nancy Light of 2621 State Route 72 asked about the final outcome with the property at 15 Campmeeting Road. Atty. Bametzreider said there was a municipal lien on the property, and when it was sold, the Township received all the money that was owed for the clean up and other expenses.

Glenn Rudy of 516 Jonestown Road said there are stakes that are bent over towards the road and placed in the road right of way at the Varvel property at 30 Chapel Drive. He asked if the Township could do anything about this. Atty. Bametzreider said no one is allowed to put anything in the Township's right of way. Brent McFeaters said he will get in touch with Mr. Varvel.

#### APPROVE BOS MINUTES – September 13, 2022

Kerry McCrary made a motion seconded by Gary Longenecker to approve the minutes from the September 13, 2022, meeting. All approved.

#### APPROVE JULY FINANCIAL REPORT

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

#### CLEONA BOROUGH POLICE SERVICES – CHIEF JEFF FARNESKI

Chief Farneski reported that the Cleona Borough Police handled 57 incidents in Union Township, issued 13 parking citations and 20 moving violations. He said over the next few weeks the officers will rotate every two weeks and work 10 hours a day. Chief Farneski said they have applied for a grant and that some of the grant money will be used to purchase computers for all their cars and thanked Brent McFeaters, Township Manager for the letter that he provided.

#### BID OPENINGS – 2006 FREIGHTLINER DUMP TRUCK

Brent McFeaters explained that the Township had recently purchased a 2021/2022 Mack and are selling the 2006 Freightliner which was put out on bid. He noted that the truck was listed in The Lebanon Daily News, the Lancaster Farmer as well as Municibids which is a website that is set up for Municipalities and Government. He explained that the highest bid received on Municibids was \$46,000.00. Brent then proceeded to open the following sealed bids that were submitted for the purchase of the 2006 Freightliner Dump Truck:

1. Matthew Eby, 435 Town Hill Road, York Springs, PA in the amount of \$51,000.00
2. Mike Veneziane, 145 Thomas Hill Road, Bellefonte, PA in the amount of \$16,105.00
3. Paradise Township, York County 82 Beaver Creek Road, Abbottstown, PA in the amount of \$55,009.00

Dennis Firestone made a motion seconded by Kerry McCrary to sell the 2006 Freightliner Dump Truck for the price of \$55,009.00 to Paradise Township, York County who was the highest bidder. All approved.

#### 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

Report from the October 5<sup>th</sup> Planning Commission Meeting

#### Old Business

1. Home 2 Suites Land Development Plan  
No action was taken, and the plan was tabled until the November meeting.
2. Miller Bed & Breakfast  
Since the developer is working thru the Highway Occupancy Permit issues, no action was taken, and the plan was tabled until the November meeting.
3. 19 Silvertown Road Minor Subdivision Plan  
No action was taken, and the plan was tabled until the November meeting
4. Text Amendment to Zoning Ordinance  
The text amendment was not ready to be reviewed by the Planning Commission

#### New Business

1. Collins Self Storage, LLC Preliminary/Final Land Development Plan  
The Planning Commission reviewed the plan which illustrates the development of a commercial self-storage facility at 85 Fisher Avenue. Since there are several items

listed in Steve Sherk's September 14<sup>th</sup> comment letter to be addressed, no action was taken on the requested waivers and the plan was tabled until the November meeting.

2. Derr/Prokop Minor Subdivision Plan

The Planning Commission reviewed the Derr Prokop Minor Subdivision Plan which proposes the subdivision of a portion of the lands of James J. & Suzanne Derr and a portion of the lands of Carol Prokop in order to create one new residential lot between them which is located on the south side of David's Court and includes a proposed single-family dwelling, on-lot water, on-lot sewage disposal system and a driveway connected to the Derr's existing driveway. The Planning Commission recommends the Board approve the following waivers:

- Waiver to Section 5.02.C which states that the side lot lines shall be substantially at right angles or radial to street lines.
- Waiver to Section 5.02.D which states that the depth of residential lots shall not be less than one (1) nor more than three (3) times the lot width.
- Waiver to Section 5.11.B and 5.11.C.10 regarding minimum street standards and improvements to existing streets.

Liz Krause noted that no other action was taken by the Planning Commission, and the plan was tabled until the November Meeting.

Dennis Firestone made a motion seconded by Gary Longenecker to approve the three waivers to the Derr Prokop Minor Subdivision Plan as recommended by the Planning Commission. All approved.

Mease Petition for Rezoning 3219 State Route 72 from Ag to Industrial

- Based on the current information provided, the Planning Commission does not recommend the Board rezone 3219 State Route 72 to Industrial.

After a brief discussion regarding the rezoning process and the requirements for holding a Hearing for rezoning 3219 State Route 72, Dennis Firestone made a motion seconded by Kerry McCrary to authorize Atty. Bametzreider to advertise the Hearing for the Petition for Rezoning 3219 State Route 72 from Ag to Industrial for November 9<sup>th</sup> at 6:00 p.m. All approved.

Krause noted that Gary Longenecker was an alternate at the meeting and said several times that he thought the Planning Commission could move it forward without a recommendation, but after a lengthy discussion the Planning Commission made the no approval recommendation. Atty. Bametzreider said the Municipal Planning Code (MPC) says a supervisor can sit on the Planning Commission and it's not a binding recommendation so at the end of the day it's not an issue. Paul said that whatever happened at the Planning Commission meeting is not binding, and the Supervisor is free to change his mind. Paul said his recommendation is to have the Public Hearing and then would recommend that the two supervisors that were not sitting on the Planning Commission consider it, and if there is a tie between those two supervisors could vote and change his mind if he so chooses.

Dennis Firestone made a motion seconded by Kerry McCrary to hold a public hearing for the Mease Petition for rezoning 3219 State Route 72. All approved. It was decided that the Hearing would be held prior to the Sewer meeting at 6:00 p.m. on Wednesday, November 9<sup>th</sup>.

#### ZONING OFFICER REPORT – LIZ KRAUSE

Liz Krause, Zoning Officer reported that seven (7) permits were issued totaling \$5,192.40 and 970.00 was received in reimbursement of fees.

#### ZHB Case 22-04

As also reported last month, Marlin Champ would like to build a 1,600 sq. ft. dog kennel on his property at 19 Huckleberry Road. Mr. Champ is asking for relief from Article 5F which requires 4 acres with a lot width of 150' for the non-residential use of commercial kennels in the Agricultural District. Since the existing home on the property is considered the principal structure/use on the property, Mr. Champ is also asking for relief from Article 13C.1 which states that more than one structure or building housing a permitted principal use may be erected on a single lot, provided that area, yard and other requirements of the Zoning Ordinance shall be met for each structure or building as though it were on an individual lot, AND that all requirements of the Union Township Subdivision & Land Development Ordinance are complied with.

This Hearing will be held on Monday, October 24, 2022, at 7:00 p.m.

#### Enforcement Issues

Enforcement notices were sent to the owner of 651 Jonestown Road because of grass overgrowth and refuse and other discarded items scattered throughout the property. Since the owner of the property has health issues Liz Krause said that Tom Kotay of the Lebanon Free Church has previously offered services for people who were in need and the Board agreed that he should be contacted to possibly help in this instance.

#### ROAD FOREMAN REPORT – Bryan Michael

Bryan Michael reported that they've been mowing and hauling dirt. Bryan added that he noticed the plow lights don't work on the truck that is being sold and the Board agreed the lights should be fixed prior to the sale of the truck.

Helen Light of 58 Moonshine Road said she heard a Township employee backed into another vehicle. Brent McFeaters, Township Manager said he has already obtained estimates for the cost of the repairs to the vehicle that was damaged noting that the vehicle was not able to be driven prior to being backed into and the repairs that will be paid for by the Township will be just to repair the damage that was done by the Township vehicle.

#### ENGINEERS REPORT – STEVE SHERK, TOWNSHIP ENGINEER

1. Ridge Road Culvert Replacement. A.H. Moyer is mobilized and starting work this week. Substantial completion is expected by October 31<sup>st</sup>.
2. Sand Siding Road (Dirt, Gravel and Low Volume Road (DGLVR) Grant – Phase 2. Construction started last week and should be completed later this month.
3. Bank Stabilization at 1 Bordnersville Road. Construction is complete. Therefore, we recommend payment to Woodland Contractors in the amount of \$21,700.00. Kerry

McCrary made a motion seconded by Gary Longenecker to authorize the payment of \$21,700.00 to Woodland Contractors. All approved.

4. PennDOT Green Light-Go Agreement – Fisher Avenue - Signal Improvements. ELA Group (our traffic subconsultant) is ready to proceed with traffic signal permit applications pending decisions on the Statewide Local Share Assessment (LSA) and the Automated Red Light Enforcement Transportation Enhancements (ARLE) grant applications (see items 5 and 6 below). The Township can bid the project after the traffic signal permits are approved. The Township has until May 15, 2024 to complete construction of the project and the final invoice must be submitted to PennDOT by May 31, 2024.
5. Statewide Local Share Account (LSA) Grant. As previously reported, we submitted a Local Share Assessment (LSA) grant application on behalf of the Township in March proposing to improve the intersection of Fisher Avenue, Old Forge Road, and the I-81 NB ramp. This grant would only cover work within the intersection proper (traffic signal work, restriping, etc.) and not work needed to widen the I-81 on-ramp, as the grant program manager has concluded that work within the federal ROW is not applicable to this program. Our DCED contact said the earliest the LSA-Statewide applications will go before the CFA Board is at the November 2022 meeting, however, that is not guaranteed.
6. Automated Red Light Enforcement Transportation Enhancements (ARLE) Grant Program. This another statewide grant program that is available and could provide potential funding for improvements at the intersection of Fisher Avenue, Old Forge Road, and the I-81 NB ramp. The ARLE Funding Program is a reimbursement grant program and there is no match requirement. The total amount of statewide grant funding available in FY 2022-2023 is anticipated to be approximately to \$14 million. It is our understanding this grant program would cover the full cost of the intersection project, including the cost to widen the I-81 on-ramp, which the LSA grant will not cover. We submitted this grant application on June 23<sup>rd</sup>. ARLE Selection Committee is expected to announce the grant awards in December.
7. Quartermaster Road Culvert Replacement. The invitation to bid was properly advertised in the Lebanon Daily News and bid documents are available on PennBid. The pre-bid meeting is scheduled for this Friday, October 14<sup>th</sup> at 10am. The bid opening is scheduled for Monday, October 24<sup>th</sup> at 10am.  
A Right-of-Entry and License Agreement was provided from the Commonwealth of PA (Fort Indiantown Gap) to permit installation of the proposed improvements. Assuming the Township's Solicitor finds the Agreement acceptable, we recommend the Supervisors approve the Agreement and return it to the Commonwealth for processing.
8. MS4 Waiver Application. The MS4 Permit Waiver application was submitted to DEP last month.

#### SOLICITOR'S REPORT – PAUL BAMETZREIDER

Atty. Bametzreider informed the Board that the State Legislature has passed Act 57 which became effective October 10<sup>th</sup> and is an Act that amends the local tax collection law to allow that if someone can demonstrate that they haven't received the notice of the taxes due on a property that's been assessed, they can waive any penalties and costs that might be associated with their failure to pay the tax. The new act requires that the Township adopt a Resolution by the end of the year putting into place a waiver of penalties for people who fail

to pay their taxes on time if they can demonstrate they did not receive the notice to pay the taxes. Paul said he will have the Resolution ready for the Board's adoption in November and should be included on the November agenda.

The legislatures recently adopted the Non-Receipt of Bids Act which is a new law that says that if the Township bids a project, but doesn't receive any bids, they can bid it the second time and if they still don't receive any bids, they can enter a private contract with anyone with no money thresholds after the second bidding.

Lastly, Atty. Bametzreider said he will be bringing the Resolution to approve a CPA for the 2022 Audit to the next meeting and asked Brent to include it on the November agenda.

## NEW BUSINESS

### MOTION TO APPROVE THE 2022 MMO FINANCIAL NUMBERS FOR THE YEAR

#### APPROVE A DONATION FROM THE MATTHEWS PUBLIC LIBRARY

Brent McFreaters, Township Manager said that last's years donation was \$1,500.00. Dennis Firestone made a motion seconded by Kerry McCrary to donate \$1,500.00 to the Matthews Public Library from the Recreation Fund. All approved.

#### APPROVE THE 2023 WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY IN THE AMOUNT OF \$9,168.00

Dennis Firestone made a motion seconded by Kerry McCrary to approve the 2023 Workers Compensation and Employer's Liability Insurance Policy in the amount of \$9,168.00. All approved.

#### APPROVE TO PAY THE LEBANON COUNTY HUMANE SOCIETY A \$350.00 FEE

Dennis Firestone made a motion seconded by Gary Longenecker to pay the Lebanon County Humane Society a \$350.00 fee for seven animals being delivered to the shelter in the year 2022. All approved. Dennis Firestone noted that the fee is \$50.00 for each animal that is delivered.

#### ELECTION DAY NOVEMBER 8, 2022

Dennis Firestone reminded everyone that election Day is Tuesday, November 8, 2022, and that the polls open at 7:00 a.m.

#### TRICK OR TREAT NIGHT

Dennis Firestone announced that Trick or Treat Night will be held on Thursday, October 27, 2022, 6:00-9:00 p.m. and the rain date is October 31, 2022 from 6:00 to 9:00 p.m.

#### BILLS PAYABLE

Dennis Firestone made a motion seconded by Gary Longenecker to pay the bills in the amount of \$134,845.99 from the General, Recycling, Liquid Fuels Street-Light, Payroll Funds and ARP Funds. All approved.

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DATE OF NEXT PLANNING COMMISSION MEETING

Wednesday, November 2, 2022- 7:00 PM

DATE OF NEXT LICKDALE TREATMENT PLANT MEETING

Wednesday, November 9,, 2022 - 6:30 PM

DATE OF NEXT BOARD OF SUPERVISORS MEETINGS

Wednesday November 9, 2022 - immediately following the Lickdale Sewer Meeting

ADJOURNMENT

With no further business or comments, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Elizabeth Krause  
Recording Secretary